



W.A(MD)No.2414 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A(MD)No.2414 of 2025

and

C.M.P(MD)No.13733 of 2025

Z.Abuthalkha

... Appellant

Vs.

1.Trichy Palakari Parimala Sunnatha Jamath
Rep. by its General Secretary,
Mr.N.Mohamed Hussain,
Son of Nazeer Ahamed, Madurai Road,
Palakkari, Trichy-620 008.

2.The District Registrar,
Registration of Societies,
District Registrar Office,
Trichy.

... Respondents

PRAYER: Writ Appeal filed under Clause XV of the Letters Patent Appeal, to set aside the order dated 23.07.2025 passed in W.P(MD)No.19857 of 2025.



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W.A(MD)No.2414 of 2025

For Appellant : Mr.P.Arun Jayatram
For R1 : Mr.S.Mahalakshmi
For R2 : Mr.Kameswaran
Government Advocate

JUDGMENT

(Judgment of the Court was made by **G.ARUL MURUGAN, J.**)

Intra Court appeal is preferred as against the order dated 23.07.2025 passed in W.P(MD)No.19857 of 2025, whereby, the Writ Court had directed the second respondent District Registrar to accept the Form VI and Form VII submitted by the writ petitioner.

2. It is the contention of the learned counsel for the appellant that they have filed a suit as against the writ petitioner and when the suit is pending, direction issued by the writ Court directing the first respondent therein to process and accept Form VI and Form VII is not sustainable in view of the pendency of the suit.

3. The learned counsel appearing for the first respondent/writ petitioner would contend that there is an elected body and they have filed Form VI and Form



W.A(MD)No.2414 of 2025

VII before the second respondent District Registrar and unless the Form VI and

Form VII are processed, the society will not be in a position to function.

Therefore, even though the appellant herein had filed a suit, but when he has not obtained any interim orders as against the society, the objections made by the appellant in respect of the authorities from accepting the Form VI and Form VII is not sustainable.

3. Heard the rival submissions and perused materials available on record.

4. Admittedly, the writ petitioner's society is registered under the Societies Registration Act. There is an elected body and pursuant to the elections conducted, the list of members and the elected body has filed Form VI and Form VII duly before the District Registrar the first respondent in the writ petition. Unless, Form VI and Form VII are filed and accepted by the District Registrar, the Society will not be in a position to function and carry out its activities efficiently. Whenever, Form VI and Form VII are filed by the Society informing the list of members and also the list of elected body, then as per the provisions of the Societies Registration Act, it is incumbent upon the District Registrar to receive and process Form VI and Form VII.



W.A(MD)No.2414 of 2025

5. It is only the contention of the appellant that they have filed a suit in O.S.No.130 of 2024, on the file of District Munsif Court, Trichy as against the writ petitioner's Society. It is their vehement contention that in view of the suit pending, no proceedings can be taken by the society and any Form filed by the society shall not be accepted by the competent authorities. We are not able to accept such proposition. Even though, the appellant had filed a suit, no interim orders have been passed by the civil court and merely because of the pendency of the suit, if the society is not allowed to function and the Forms are not received and accepted, the entire activities of the society would be prejudiced.

6. It is only open to the appellant to file appropriate application in the pending suit and seek for any orders, if so advised. We do not find any error or infirmity in the orders passed by the writ Court warranting interference.

7. In view of the above, the writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
19.08.2025

NCC : Yes / No
Index : Yes / No
am



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W.A(MD)No.2414 of 2025

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AND

G.ARUL MURUGAN, J.

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W.A(MD)No.2414 of 2025

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