



W.P.(MD)No.14876 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 04.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.14876 of 2026

and

W.M.P(MD)Nos.11174 & 11175 of 2026

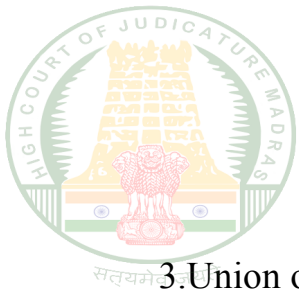
Aparajitha Foundations,
Represented by its
authorised representative
K.Nagaraj,
Block No.401, 4th Floor,
No.5A, Rathinasamy Nadar Road,
Bi Bi Kulam,
Madurai – 625 002.

... Petitioner

Vs

1.Union of India,
Ministry of Home Affairs,
Represented by its Secretary,
North Block,
New Delhi-110 001.

2.Union of India,
Ministry of Home Affairs
Foreigners-II Division (Monitoring Unit),
Rep. by its Deputy Secretary,
1st Floor, Major Dhyan Chand National Stadium,
India Gate Circle,
New Delhi – 110 001.



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3. Union of India,
Ministry of Home Affairs
Foreigners Division (FCRA Wing),
Rep. by its Deputy Secretary,
1st Floor, Major Dhyan Chand National Stadium,
India Gate Circle,
New Delhi – 110 001.

... Respondents

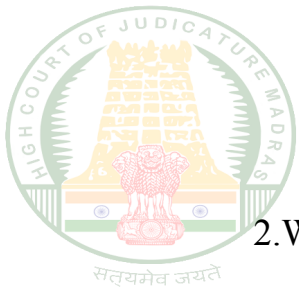
PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records in the Cancellation Order bearing No.3300002002025 dated 19.03.2026 passed by Respondent No. 2 and quash the same.

For Petitioner : Mr.P.Vinod Kumar

For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India

ORDER

This writ petition is filed challenging the impugned order dated 19.03.2026. The said order is an order of cancellation of registration of the petitioner under the Foreign Contribution (Regulation) Act, 2000, passed under Section 14(1) of the said Act.



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2. When the matter came up for hearing, the learned Deputy Solicitor General of India taking notice on behalf of the respondents would submit that as against the said order, the petitioner has a right of appeal before this Court as per Section 31(2) of the said Act. He further submitted that the Act makes the provisions of the Civil Procedure Code expressly applicable and the petitioner has to file only a Civil Miscellaneous Appeal before this Court and the Writ Petition is not maintainable.

3. In reply thereof, the learned counsel for the petitioner would submit that this Court under Article 226 of Constitution of India would always have the jurisdiction and in cases of violation of principles of natural justice, this Court can entertain the Writ Petition. The learned counsel would further place reliance on the judgment of the Hon'ble High Court of Karnataka reported in **2024 SCC OnLine Kar 12930 (Centre for Wildlife Studies Vs Union of India)** and contend that Section 14(2) of the Act was specifically considered and in view of the grave consequences that enure to the petitioner under Section 14(3), whereby fresh registration is also barred, the Court has taken a view that the opportunity of being heard cannot be restricted only to show cause notice but also an opportunity of personal hearing should be given. The Hon'ble High Court of Karnataka followed the judgment of the Hon'ble High Court of Madhya Pradesh. He further submitted that the Hon'ble High Court of Delhi



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has also uniformly taken the view. In view of the violation of the principles of natural justice, the petitioner should be permitted to maintain the writ petition.

4.I have considered the rival submissions made on either side and perused the material records of the case.

5.Normally, the contention made by the learned counsel for the petitioner will be accepted and the Writ Petition will be entertained for violation of the principles of natural justice. But, in the instant case, the alternative remedy that is pleaded by the learned Deputy Solicitor General of India under Section 31 is also before this Court. Therefore, no prejudice whatsoever will be caused to the petitioner by merely raising the self same grounds under the caption of Civil Miscellaneous Appeal. Merely because it is filed as a Civil Miscellaneous Appeal, no apprehension can be entertained that this Court will not consider the argument under Section 14(2) of the said Act that it includes an opportunity of personal hearing also. The petitioner can very well raise the said ground also in the Civil Miscellaneous Appeal and it is for the respondents to defend the same in the manner known to law.

6.In view thereof, liberty is given to the petitioner to prefer an appeal before this Court under Section 31 of the said Act, this Writ Petition stands



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disposed of. If the petitioner presents an appeal within a period of one week from the date of receipt of a web copy of this order, the same shall be treated by the Registry of this Court as within time and the appeal will be entertained on merits. No costs. Consequently, connected miscellaneous petitions are closed.

04.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Registry is directed to return the original impugned order to the petitioner after substituting with a photo copy of the same.

To

- 1.The Secretary,
Union of India,
Ministry of Home Affairs,
North Block,
New Delhi-110 001.
- 2.The Deputy Secretary,
Union of India,
Ministry of Home Affairs
Foreigners-II Division (Monitoring Unit),
1st Floor, Major Dhyan Chand National Stadium,
India Gate Circle,
New Delhi – 110 001.



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3. The Deputy Secretary,
Union of India,
Ministry of Home Affairs
Foreigners Division (FCRA Wing),
1st Floor, Major Dhyan Chand National Stadium,
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D.BHARATHA CHAKRAVARTHY, J.

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