

From

Date: 20.02.2019

M. Mohammed Shahid,  
S/o.Mohammed Issac,  
No.28A, 6<sup>th</sup> Cross Street,  
Anugraha Satellite Township,  
Periyakattupalayam, Madhalapattu Post,  
Cuddalore District.

To

The Inspector General of Registration,  
Department of Registration,  
Santhome,  
Chennai- 600 004.

Sub: My Written submission for your notice in No.38528/112018  
Dated 06.02.2019.

Ref: 1. My Representation dated 21.08.2018.  
2. Your office Notice dated 26.09.2018.  
3. Hon'ble High Court order made in W.P. No.28412 of 2018  
dated 03.12.2018.  
4. District Registrar, Cuddalore Letter No.4372/Aa3/2018,  
Dated 28.01.2019.  
5. Notice vide No.38528/112018 Dated 06.02.2019.

I state that I am residing in the above said address and on 28.09.2015 I purchased a house property bearing Door No. 269-A situated at VIII Cross at Anugraha Satellite Township, Periyakattupalayam, within the Madhalapattu Village Panchayat limits, Cuddalore Taluk and District, from one R.V.Saravanan, son of R.Vinayagam, residing at No. 28, Ambedkar Street, Kolas Nagar, Puducherry-1, for full and valid consideration under a sale deed registered as Document No.3608/2014 on the file of the office of Joint I "Sub Registrar, Cuddalore. The said property is situated in Survey No.149/4B of Periyakattupalayam Village, Cuddalore Taluk & District.

I state that after the purchase of the said property my self and my family have been residing in the said house ever since then. Prior to the said purchase a welfare Association was formed by the residents of the Anugraha Satellite Township on 20.04.2014 by submitting the Memorandum of Association consisting of Constitution of the said Association in the name and style of "Anugraha Satellite Township Residents Welfare Association" then having its place of office and business at No.5A, 8<sup>th</sup> Cross Street, Anugraha Satellite

Township, Periyakattupalayam and the same stood registered in Regn. No.71/2014 having its own registered. By-laws governing the business and affairs of the Association Society hereinafter called as either as (Sangam). The said Association has been formed only for the benefit of the house owners (Residents) of Anugragaha Satellite Township, Periyakattupalayam, as it has been set out in the registered by-laws and Memorandum of Association of the said Society. The said Memorandum of Association dated 20.04.2014 was signed by the President of the said Society by name R.Selvaraj and submitted before the District Registrar/Registrar of Societies, Thirupathiripuliyur. The said erstwhile President resigned from the said post on 07.09.2014. On the same day, one S.Saravanan who was the member in the Administrative Council or otherwise known as Executive or Action Committee of the said Association has been elected to the post of President of the said welfare Association. On the very same date, one V.Ramesh has been appointed as a Member to the Administrative Council. The said amendment which was duly incorporated in the Regd. Bye-law of the said Society and submitted to the District Registrar/Registrar of Societies, Thirupathiripuliyur on 08.10.2014.

I state that on 19.04.2015, three persons namely M.Ramani, E.Harishkumar and V.Ramesh have been elected as the members of the Executive Committee of the said Society by the General Body of the Society. On the same day, one Ashlekatter was removed from the post of Secretary in the light of his reassignment from the said Post. One Valliammai has been elected as Treasurer. Then four members namely Balakrishnan, Elango, Dr Debolina Sagarai, Lakshmi Narayanan and Dr.Gajapathy have been removed from the (Executive) Committee by the General Body. After their removal three members namely G.Gajapathy, A.Sathya and M.Ramani have been elected as Secretary, Vice-President and Treasurer respectively and five persons namely K.Subramaniam, E.Harish, Kandhamani, Ramesh and Punitha have been elected as Action Committee members. The said amendment pertaining to changes in office bearers and members of the Association which were duly incorporated in the Society Memorandum of Articles of Association and bye-laws as well have been submitted to the District Registrar/Registrar of Societies, Thirupathiripuliyur on 19.04.2015.

I state that as per section 14(1) of Tamil Nadu registration of Societies Act, 1975 and Rule 16 of Tamil Nadu Registration of Societies Rules, 1978, the above said Welfare Society was having 27 members as per the List (which includes president, secretary, vice president, treasurer and administrative committee members). The said list has been filed before the District

Registrar/Registrar of Societies, Thirupathiripuliyur on 19.04.2015. Since there is no election conducted till the year 2017, the said Sangam was functioning under the above said the president and other members as on 2014 namesake without submission of accounts and without renewal for about more than three years.

I state that when the factual situation remains such, on 30.09.2017, some persons self-styling themselves as newly elected members to the Association without even mentioning the venue or agenda of the meeting, etc., claimed to have allowed the entry of one P.Varadhan (Retd. Tahsildar (Rev. Dept.) and one R.Jaganmohan, who is working as new members under resolution No. 3 in Mahatma Gandhi Medical College & Research Institute, Pillaiyarkuppam, Puducherry held meeting said to have been held on 30.09.2017 for the year 2016-2017 and further claimed to have unilaterally elected the said P.Varadhan as President and R.Jaganmohan as the Secretary, one Aruna as Joint Secretary, and Sujatha and 26 others as Executive Committee Members to the said Society out of which 25 members impugned Resolution No. 4 on the same date to the Executive Committee of the erstwhile Anugraha Satellite Township Residents Welfare Association (Regn. No. 71/2014) which stood defunct without renewal from the year 2015. While so, the aforesaid R.Jaganmohan appears to have submitted on 18.01.2018 to the District Registrar/Registrar of Societies, Thirupathiripuliyur here above statements in Form VI and Form VII under Rule 17(2) of Tamil Nadu Registration of Societies Rules, 1978 and other reports and statements furnishing false statements.

I state that as per Sub-clause 10 of the registered bylaws of the Association, all the house owners in the Anugraha Satellite Township are eligible to become a member of the association and that the members whoever completed 18 years of age can become a member of the society on payment of the annual subscription for permanent membership. Thus, it is clear that only house owners alone are eligible to become a member of the said Association. But, from among the members alleged to have been allowed as new members on 30.09.2017, to the Association, the aforesaid P.Varadhan and R.Jagannathan are admittedly not the owners of any house in their respective names at Anugraha Satellite Township at all. Hence, both the said persons are not eligible to become the members of the said Association at all as they do not own in their respective names any house in the said Township at all. Under such state of things, induction of them initially as new members per se illegal and oppose to the Registered bye-laws of the said Association and therefore the

resolution in No. 4 of the so-called General Body allegedly held on dated 30.09.2017, elected P.Varadhan as President and R.Jaganmohan as Secretary respectively to the said Association is ultra vires, illegal and unenforceable in law and honest in the eyes of law. Since the said P.Varadhan, who cannot become and has not been a member of the Association prior to and as on 30.09.2017, claimed to have presided over the General Body Meeting on that day and that the General Body is alleged to have been held in his presence. On that score also, the said General Body Meeting is invalid and non-est in the eyes of law.

I further state that there is no whisper about the place of the said meeting. Further on the said date i.e. 30.09.2017 the said S.Saravanan was factually continuing as the President of the said welfare Association under the Registration No. 71/2014 formed and registered on 20.04.2014.

I state that the said R.Jaganmohan, who is ineligible to become a member to the society as stated supra, posing himself as the elected Secretary of the Association has as submitted documents on 18.01.2018 namely Form VI and Form VII, Audit Report for the year 2014-2015 with resolution said to have been passed on 30.09.2017 etc. It is rather strange to know as to how a person who is not eligible to become the member of the Association at all as per by-laws of the society and whose entry as a new member is said to have been allowed only on 30.09.2017, is entitled to submit without date and signature before the District Registrar/Registrar of Societies, Thirupathiripuliyur for the audit accounts for the 2014 - 2015 and 2016 - 2017 respectively during the period for which he has neither been a member nor a secretary even of the said Association.

I state that the said persons have not only concealed their ineligibility to become a member of the Association even and also gave a false bank accounts and statement thereby concealing the real fact that the saving bank joint account standing in the name of Anugraha Satellite Township Residents Welfare Association (Regd. No.71/2014) at the Syndicate Bank, Reddychavadi which was being jointly operated and maintained by its President S.Saravanan, Secretary G.Gajapathy and Treasurer M.Ramani which would show that they have operated in the said Account turnover to the tune of several of lakhs of rupees. The said facts have also not been furnished to the District Registrar/Registrar of Societies, Thirupathiripuliyur either by the Deputy Inspector General of Registration, thirupathiripuliyur and the aforesaid P.Varadhan and R.Jaganmohan.

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I state that the List of Members which has been submitted by the said R.Jeganmohan in his purported capacity as Secretary as per Rule 16 of the Tamil Nadu Registration Societies Rule, 1978 the said P.Varadhan, R.Jeganmohan, Aruna and M.Sujatha were not at all the members of the said Association during the period commencing from the year 2014 and ending with 2017. The said P.Varadhan and R.Jaganmohan have thus filed fabricated and manipulated documents and statements thereby furnishing false information making the District Registrar/Registrar of Societies, Thirupathiripuliyur to believe the same to be true. By concealing the real facts about the non-renewal of the society in Regn. No. 71/2014 from 2015 onwards and an attempted to make the District Registrar/Registrar of Societies, Thirupathiripuliyur to believe as if was functioning as on 18.01.2018 by creating forged documents. The R.Jaganmohan had also submitted before the District Registrar/Registrar of Societies, Thirupathiripuliyur proclaiming himself as the Secretary to the said Association. The District Registrar/Registrar of Societies, Thirupathiripuliyur also without verifying the same renewed the society in Regn. No. 71/2014 from 2015.

I state that I came to know from the activities of the said P.Varadhan from in his letters relates to collection of huge amounts from House Owners of the Anugraha Satellite Township for allegedly to renovate STP (Sewerage Treatment Plant) of the Township which the Association is neither in law nor on facts to do since it is the statutory duty of the Madhalapattu Village Panchayat. On 21.08.2018, I made a representation to you as stated in the Reference No.1 and to the District Registrar/Registrar of Societies, Thirupathiripuliyur, the Deputy Inspector General of Registration, Thirupathiripuliyur by requesting you to take appropriate action as against the said P.Varadhan and R.Jaganmohan for their having submitted false documents and statements and also requested to cancel the renewal of the said Association by conducting proper enquiry. The fact remains that STP is one of the items of public purpose which were handed over by the promoter of Township to the Executive Officer, Madhalapet Village Panchayat be maintained by Madhalapet Village Panchayat within whose jurisdiction the Township lies. But there is no action from you.

I state that prior to that, representative suit in O.S.No.289 of 2018 came to be filed on the file of the Principal Sub Court, Cuddalore by me and another in repeating the house owners as against the said R.Jaganmohan and Aruna, seeking for a relief of Permanent injunction to prevent them jointly and severally, from functioning as office bearers of the Association, as the so-called General Body said to have been held on 30.09.2017 as illegal and other

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grounds have collected a huge amount of about Rs.55,00,000/- and odd from the house owners illegally under misrepresentation and by playing fraud upon the House Owners and by administering threat over SMS over phone calls to the house owners.

I state that having no other option except to file a Writ Petition as stated in the Reference No.3 before the Hon'ble High Court and after hearing both sides the Hon'ble High Court passed the order to consider my representation dated 21.08.2018 as stated in the Reference No.1 and pass appropriate orders within five weeks from the date of receipt of a copy of the Hon'ble High Court Order. Thereafter I made a representation along with the above said order to you. I further state that on 11.02.2019, I received the letter as stated in the Reference No.5 from you and in the said letter you directed me to appear before you in your office on 20.02.2019 for enquiry.

Hence, I am submitting this Written Submission for your kind perusal and pass appropriate orders and further I request you to initiate a departmental proceedings as against the District Registrar/Registrar of Societies, Thirupathiripuliyur, Cuddalore-607 002 and his associates based upon my Representation dated 21.08.2018 as stated in Reference No.1 conduct proper enquiry regards to the renewal of Anugraha Satellite Township Residents Welfare Association (Regd. No.71/2014).

Yours Faithfully

(M. Mohammed Shahid)

BEFORE THE INSPECTOR GENERAL  
OF REGISTRATION,  
CHENNAI-600 004.

No.38528/11/2018 Dated 06.02.2019

WRITTEN SUBMISSION OF  
M.MOHAMMED SHAHID

M/S. S.KUMARA DEVAN  
A.PRAKASH &  
S.VENKATESH

COUNSEL FOR COMPLAINANT