

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.4176/2015

P.Ravichandran

..Petitioner

Versus

- 1.The Inspector General of Registration
Santhome, Chennai 600 028.
- 2.The District Registrar [Administration]
O/o.the District Collectorate
Coimbatore.
- 3.The District Registrar [Administration]
Sivan Theatre Road, Thiruppur,
Thiruppur District.
- 4.The District Registrar [Administration]
Trichy Road, Namakkal, Namakkal District.
- 5.Mr.M.Selvakumar
- 6.Mr.S.Senguttuvan
- 7.Mr.A.Natarajan

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to consider and pass orders on the representation dated 05.04.2014 and 16.06.2014 made by the petitioner in connection with taking appropriate action against the respondents 5 to 7.

For Petitioner : Mr.R.Chandrasekaran

For RR 1 to 4 : Mr.V.Jayaprakash Narayanan, Spl.GP

ORDER

Heard Mr.R.Chandrasekaran, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader who accepts notice for the respondents 1 to 4 and with their consent, the writ petition is disposed of at the admission stage itself.

2. Since the writ petition is disposed of at the admission stage itself, the merits of the allegations made by the petitioner as against the respondents 5 to 7 are not gone into and it is left open to the official respondents to consider the same.

2. The petitioner seeks for a writ of mandamus to direct the respondents 1 to 4 to consider his representations dated 05.04.2014 and 16.06.2014 and take appropriate action against the respondents 5 to 7.

3. The petitioner filed an application to enquire into his complaint and set aside the documents registered as Documents No.13710/2008, 437/2009, 438/2009 and 1360/2009. The representation given by the petitioner before the 1st respondent/the Inspector General of Registration, was forwarded to the 2nd respondent, viz., the District Registrar [Administration], Coimbatore, informing that the Madurai Bench of this Court has granted an order of interim stay of the Circular No.67 dated 03.11.2011 and therefore, action cannot be pursued further by the District Registrar and has to await decision. A copy of the said communication sent by the 1st respondent to the 2nd respondent dated 27.05.2014 was marked to the petitioner.

4. The petitioner submitted representations on 05.04.2014 and on 16.06.2014 stating that the validity of the said Circular No.67 has been upheld and therefore, there is no impediment for the 1st respondent to consider the petitioner's claim and issue appropriate directions to the 2nd respondent.

5. In the light of the fact that the validity of the Circular in Circular No.67 has been upheld by the Madurai Bench in a batch of cases in WP.[MD] Nos.5908/2012 etc batch dated 17.07.2014 [Ramasamy and others Vs. State of Tamil Nadu and others], there will be a direction to the 1st respondent to consider the petitioner's representations dated 05.04.2014 and 16.06.2014, after issuing notice to the petitioner as well as to the respondents 5 to 7 and pass appropriate orders on merits and in accordance with law as expeditiously as possible. Since the petitioner has not shown the parties to those documents as respondents before the 1st respondent, the 1st respondent shall also issue notice to those persons who are parties to those documents, viz., Documents No.13710/2008, 437/2009, 438/2009 and 1360/2009, which the petitioner seeks to cancel and hear them in person and thereafter, pass appropriate orders as directed above.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The Inspector General of Registration
Santhome, Chennai 600 028.
 - 2.The District Registrar [Administration]
O/o.the District Collectorate
Coimbatore.
 - 3.The District Registrar [Administration]
Sivan Theatre Road, Thiruppur,
Thiruppur District.
 - 4.The District Registrar [Administration]
Trichy Road, Namakkal, Namakkal District.
- + 1 cc to Mr.R. Chandrasekaran, Advocate SR.8821
+ 1 cc to Government Pleader Sr.9154

MG (CO)
Eu 20.02.15

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