



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :01.09.2015

CORAM

THE HONOURABLE **MR. JUSTICE R. SUBBIAH**

**W.P(MD) .No.15339 of 2015**

**and**

**M.P(MD)No.1 of 2015**

Angela @ Angela Thomas

...Petitioner

Vs.

1.The District Registrar(Administration),  
District Registrar Office,  
Palayamkottai,  
Tirunelveli District.

2.The Sub-Registrar,  
Kovilpatti,  
Tuticorin District.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari calling for the records relating to the order of suspending the document writer licence bearing licence No.B/10/99/PLM of the petitioner vide proceedings of the 1<sup>st</sup> respondent in his proceedings No.4355/E/2015, dated 18.08.2015 and quash the same.

For petitioner : Mr.N.Anandakumar

For Respondents : Mr.K.Mahesh Raja

Government Advocate

### ORDER

The Writ Petition has been filed praying for a Writ of Certiorari calling for the records relating to the order of suspending the document writer licence bearing licence No.B/10/99/PLM of the petitioner vide proceedings of the 1<sup>st</sup> respondent in his proceedings No.4355/E/2015, dated 18.08.2015 and quash the same.

2. Mr.K.Mahesh Raja, learned Government Advocate takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. The case of the petitioner is that the petitioner got licence as a document writer in licence No.B/10/99/PLM and she was authorized to practice as a document writer in all the offices under the District Registrar's Office, Palayamkottai from 04.01.1999 to 31.12.2003 and thereafter, the petitioner periodically renewed the said licence. The petitioner is working as a document writer for the past sixteen years. As per the guidelines of the Inspector General of Registration Department, time limit for the presentation of document for



registration is, till 3.30 p.m. However, the second respondent refused to register the document produced after 2.00 p.m., onwards. Hence, the petitioner and other document writers approached the second respondent requested to increase the time up to 3.30 p.m. But, the second respondent disagreed with the submission of the document writers. Thereafter, the second respondent started to shout at the clients of the petitioner very often. When the petitioner questioned the same, the second respondent abused the petitioner in filthy language. In these circumstances, suddenly the first respondent passed the impugned order, dated 18.08.2015, suspending the licence of the petitioner for a period of six months. Hence, the petitioner has come forward with the Writ Petition for the above stated relief.

5. When the matter is taken up for hearing today, the learned Government Advocate denied the allegation levelled against the second respondent.

6. Irrespective of the submissions made on either side, considering the factual aspect of the case, I find that before passing the impugned order, no notice was issued to the petitioner and hence, there is violation of principles of natural justice and hence, the impugned order is liable to be quashed.

7. In the result, the Writ Petition is allowed and the impugned order of the first respondent, dated 18.08.2015, is hereby set aside. No Costs. Further, the first respondent is directed to issue show-cause notice to the petitioner calling for explanation, within a period of one week from the date of receipt of a copy of this order by granting two weeks time to give explanation and on receipt of such explanation from the petitioner, the first respondent shall pass orders on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner, within a period of four weeks thereafter. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Per.Admn.)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Registrar(Administration), District Registrar Office, Palayamkottai, Tirunelveli District.
- 2.The Sub-Registrar, Kovilpatti, Tuticorin District.

+1cc to Mr.N.Anandakumar, Advocate Sr.No.50537

akm/02.09.2015 /2p-4c/

**W.P(MD).No.15339 of 2015**

**01.09.2015**