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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2015

CORAM :

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
and

THE HONOURABLE MR.JUSTICE V.S.RAVI

Writ Petition (MD) No.1829 of 2015

Rajasekar

... Petitioner

Vs.

1.The Secretary to Government,
Registration Department,
Secretariat,
Fort St., George,
Chennai 9.

2.The Inspector General of Registration,
O/o.Inspector General of Registration,
Santhome,
Chennai 5

3.The District Collector,
Kanyakumari District,
at Nagercoil.

4.The District Registrar,
O/o.District Registrar,
Kanyakumari District
at Nagercoil.

5.The Sub Registrar,
Manavalakuruchi,
Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 not to shift the office of the 5th respondent to some other place, pursuant to the representation of the petitioner dated 30.01.2015.

For Petitioner : Mr.S.Sureshkumar

For Respondents : Mr.B.Pugalendhi,
Special Government Pleader.

ORDER

(Order of the Court was made by **S.TAMILVANAN, J.**)

This writ petition has been filed invoking Article 226 of the Constitution of India seeking an order in the nature of Writ of Mandamus directing the respondents 1 to 4 not to shift the office of the Sub Registrar, Manavalakurichy, Kanyakumari District, the fifth respondent herein based on the representation of the petitioner dated 30.01.2015.



2. Having gone through the affidavit filed by the petitioner we are of the view that there is no public interest involved in the writ petition seeking an order restraining the Government of Tamil Nadu and other authorities not to shift the Sub Registrar office from Manavalakurichy to some other place. Merely based on some representation sent by post to a Government authority, the petitioner cannot maintain the writ petition. It is only the prerogative of the Government and the concerned authorities including Inspector General of Registration, the second respondent herein to select the place where the office has to be housed considering the convenience of the general public.

3. In the aforesaid circumstances, merely based on a representation sent by the petitioner, he cannot claim as a matter of right not to shift the Sub Registrar Office to any other place and seek for direction in the nature of Writ of Mandamus under Article 226 of the Constitution of India. Therefore, we are of the view that the writ petition itself is not legally sustainable. Accordingly, the same is liable to be dismissed.

4. In the result, the writ petition is dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1. The Secretary to Government, Registration Department,
Secretariat, Fort St., George, Chennai 9.
2. The Inspector General of Registration,
O/o. Inspector General of Registration, Santhome, Chennai 5
3. The District Collector, Kanyakumari District, at Nagercoil.
4. The District Registrar, O/o. District Registrar,
Kanyakumari District at Nagercoil.
5. The Sub Registrar, Manavalakuruchi, Kanyakumari District.

TS/24.02.2015/2P-6C

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