

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2016

CORAM:

THE HON 'BLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.25208 of 2016

&

W.M.P.No.21597 of 2016

P.Sivakumar

... Petitioner

Versus

1. The Inspector General of Registration,
Santhome High Road,
Santhome, Chennai 600 004
2. The District Registrar (Administration),
Vridhachalam, Cuddalore District
3. R.Thangadurai

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the second respondent, viz., the District Registrar (Administration), Vridhachalam, Cuddalore District, in Na.Ka.No.3126/B1/2015, dated 11.07.2016 and to quash the same.

For Petitioner : Mr. A.G.Rajan

For Respondents: Mr. P.Sanjai Gandhi,
AGP., for R-1 & R-2

O R D E R

Heard the learned counsel appearing for both sides.

2. The petitioner, challenging the temporary suspension of the Document Writers' Licence, vide impugned order, dated 11.07.2016, passed by the second respondent, came forward to file this writ petition.

3. The learned counsel for the petitioner would submit that the petitioner has not been conferred with any opportunity before passing the impugned order and prays for interference.

4. Per contra, Mr.P.Sanjai Gandhi, learned Additional Government Pleader, produced a proceeding of the second respondent, which disclose the fact that the petitioner was put on notice and he was also submitted his explanation and cannot be contended that the impugned order is

in violation of principles of natural justice and prays for dismissal of this writ petition.

5. This Court has considered the rival submissions made by the learned counsel for both sides and perused the materials available on record carefully.

6. A perusal of the reference made in the impugned order of the second respondent, dated 11.07.2016, would disclose that the explanation, dated 11.12.2015 submitted by the petitioner, has not been taken into consideration and not even referred to and hence, on this sole ground, the impugned order warrants interference.

7. In the result, this writ petition is partly-allowed and the matter is once-again remanded back to the second respondent for fresh adjudication and the second respondent shall take into consideration the explanation, dated 11.12.2015, submitted by the petitioner and pass orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the third respondent. No costs. Consequently, the connected MP is closed.

srk

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector General of Registration,
Santhome High Road,
Santhome, Chennai 600 004.

2. The District Registrar (Administration),
Vridhachalam, Cuddalore District.

+ 1 cc to MR.A.G.RAJAN, ADVOCATE SR 43477

+ 1 CC TO THE GOVT.PLEADER, SR 43625

KR/17/8/16

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