

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.38138 of 2016

T.Surekha

... Petitioner

Vs.

1. The Secretary to Government of India,
Ministry of Law and Justice,
Department of Legal affairs,
'A' Wing, Dr.Rajendiraprasad Road,
4th Floor, Sastri Bhavan, New Delhi.
2. The Joint Secretary to Government of India,
Ministry of Law and Justice,
Department of Legal affairs,
'A' Wing, Dr.Rajendiraprasad Road,
4th Floor, Sastri Bhavan, New Delhi.
3. The Asst. Legal Adviser and Competent Authority (Notary)
Ministry of Law and Justice,
Department of Legal affairs,
'A' Wing, Dr.Rajendiraprasad Road,
4th Floor, Sastri Bhavan,
New Delhi.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the third respondent to consider the application dated 15.05.2015 for renewal of certificate of practice of Notary of the petitioner to have effect throughout Tamil Nadu and issue Notary Certificate after renewal, within a reasonable time to be fixed by this Court.

For Petitioner : Mr.R.Devaprasad

For Respondents : Mr.Su.Srinivasan, ASG

ORDER

This Writ Petition has been filed to direct the third respondent to consider the application dated 15.05.2015 for renewal of certificate of practice of Notary of the petitioner to have effect throughout Tamil Nadu and issue Notary Certificate after renewal, within a reasonable time to be fixed by this Court.

2. The case of the petitioner is that the petitioner has been appointed as a Notary Public for a period of five years from 24.11.2005 and subsequently, her notary certificate was renewed for a further period of five years from 24.11.2010. As per the new rules, the petitioner has submitted her renewal application on 15.05.2015 along with necessary enclosures to the third respondent. Though the petitioner has unblemished record as a Notary public in Tamilnadu, renewal certificate of practice has not been sent to the petitioner. While so, the third respondent by a letter dated 07.03.2016 requested the petitioner to explain the delay in filing application for renewal by way of an affidavit. The petitioner sent a reply on 14.03.2016 to the third respondent informing that there is no delay in filing her renewal application. In spite of the reply sent by the petitioner as early as on 14.03.2016, there is no communication from the third respondent till date. Hence the petitioner has come forward with the present Writ Petition.

3. The learned counsel for the respondents submitted that they are in the process of issuing renewal certificate to the petitioner and they will consider the same as expeditiously as possible.

4. In view of the submissions on either side and taking note of the fact that the petitioner has put in 10 years of unblemished record as a notary public, the third respondent is directed to consider the application of the petitioner dated 15.05.2015 and pass appropriate orders as expeditiously as possible, preferably within a period of one month from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Secretary to Government of India,
Ministry of Law and Justice,
Department of Legal affairs,
'A' Wing, Dr.Rajendiraprasad Road,
4th Floor, Sastri Bhavan,
New Delhi.

2. The Joint Secretary to Government of India,
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3. The Asst. Legal Adviser and Competent Authority (Notrary)
Ministry of Law and Justice,
Department of Legal affairs,
'A' Wing, Dr.Rajendiraprasad Road,
4th Floor, Sastri Bhavan,
New Delhi.

+1cc to Mr.Su.Srinivasan, Advocate, S.R.No.65483
+1cc to Mr.R.Devaprasad, Advocate, S.R.No.65766

W.P.No.38138 of 2016

SSI(CO)
CA(14/12/2016)



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