

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.8733 of 2016

G.Baskaran

... Petitioner

Vs

The Union Territory of Puducherry
Rep.by the
Under Secretary (Law)
Law Department, Puducherry.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus to direct the respondent to pass appropriate orders on petitioner representation dated 11.11.2014 with regards to interview conducted on the petitioner application for appointment of Notary Public for Union Territory of Puducherry on 24.11.2011 and appoint the petitioner as Notary Public in the Union Territory of Puducherry.

For Petitioner : M/s.Mr.Ilenthiraiyan
for M/s.Sai, Bharath and Ilan
For Respondent : Mr.A.Tamilvanan, GA(Pondy)

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the respondent to pass appropriate orders on petitioner's representation dated 11.11.2014 with regard to interview conducted on the petitioner application for appointment of Notary Public for Union Territory of Puducherry on 24.11.2011 and appoint the petitioner as Notary Public in the Union Territory of Puducherry.

3.The petitioner is an Advocate practising at Karaikal from 1986 to till date, the respondent called for applications to

appoint Notary Public in Karaikal, Union Territory of Puducherry. On 26.10.1999, the petitioner applied for the same. Thereafter, the petitioner received a communication dated 16.11.2004 from respondent, to submit fresh application along with service certificate and educational qualification. Accordingly, once again the petitioner submitted the same, but the respondent did not consider the application. Hence, the petitioner filed the present writ petition in WP.No.9458 of 2006. This Court by an order dated 05.04.2006 directed the respondent to pass appropriate orders on the application of the petitioner and to appoint him as Notary Public within a period of six weeks from the date of receipt of a copy of this order.

4.In pursuant to the order of this Court, the respondent passed an order dated 19.05.2006, rejecting the application for the reason that "the Government being the Appointing Authority, after taking into consideration the maximum number of Notaries to be appointed in the Union Territory of Pondicherry as specified under the Notaries Rules, 1956 and all other relevant considerations in the matter has disallowed his application".

5.Thereafter, the respondent called for fresh applications for appointment of Notary, the petitioner also applied for the same. On 23.11.2011, the respondent issued a communication to attend the interview scheduled to be held on 24.11.2011 at 9.00am. The application of the petitioner was duly considered and requested to appear before the interview board in the Chamber of Law Secretary. Accordingly, the petitioner appeared with all required documents, after verifying the certificates, the respondent assured that the appointment of Advocate Notary order would be communicated to the petitioner. Unfortunately, this time also the respondent has not passed any order. Finally, the petitioner sent a detailed representation dated 22.12.2015 to the respondent to pass orders for the appointment of Advocate Notary, even after receipt of the representation the respondent has not passed any orders. Hence, the petitioner filed the present writ petition.

6.Today, when the matter is taken up for consideration, the learned Government Advocate (Pondicherry) submitted that the order would be passed before the end of June 2016.

7. In view of the submission made by the learned Government Advocate (Pondicherry). I am of the opinion that there is no need to give any specific direction to the respondent. Hence, recording the submission of the Government Advocate (Pondicherry) that the order would be passed in petitioner's representation dated 22.12.2015, before the end of June 2016, the writ petition is closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To
The Under Secretary (Law)
The Union Territory of Puducherry
Law Department, Puducherry.

+1 cc to M/s.Sai Bharath & Ilan Advocate sr.18896
+1 cc to Government Pleader for Puducherry sr.19080

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