

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.10.2017

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM  
and  
THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

W.P.No.10367 of 2014  
and M.P.No.2 of 2014

M.Munusamy ... Petitioner

Vs

1.The Inspector General of Registration,  
Chennai.

2.The District Registrar,  
Erode District, Erode.

3.The Sub Registrar,  
Ammamet, Erode District.

4.V.Rukmani

5.A.G.Venkatachalam .... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus to call for the impugned circular of the 1<sup>st</sup> respondent in Circular No.67 dated 03.11.2011 and consequential notice of the second respondent in Na.Ka/1524/A1/2014 dated 01.04.2014 and quash the same as illegal and without jurisdiction under the provisions of the Registration Act 1908 and the Tamil Nadu Registration Rules 1983 and consequently direct the second respondent in any manner passing any final order or implementing the order passed in the enquiry held pursuant to the impugned notice dated 01.04.2014.

For Petitioner : Mr.E.Vijayanand

For R1 to R3 : Mr.R.Vijayakumar, AGP

For R4 &R5 : NO APPEARANCE

O R D E R

[Order of the Court was made by A.SELVAM, J.]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to call for records relating to notice dated 01.04.2014, issued by the second respondent in Na.Ka/1524/A1/2014 in view of the circular No.67 dated 03.11.2011 and quash the same.

2.The learned counsel appearing for the petitioner has contended to the effect that the second respondent has issued the impugned notice dated 01.04.2014, only in pursuance of Circular No.67 dated 03.11.2011 and since the same has been withdrawn, the notice issued by the second respondent is liable to be quashed.

3.The learned Additional Government Pleader has also endorsed the contention put forth on the side of the petitioner.

4.Further, it is seen from the records that the impugned notice dated 01.04.2014 has been issued, only in pursuance of Circular No.67 dated 03.11.2011.

5.It is an admitted fact that Circular No.67 dated 03.11.2011 has already been withdrawn, by virtue of Circular dated 20.10.2017.

6. Considering the aforesaid factual circumstances, the relief sought in the writ petition can be granted.

In fine, the writ petition is allowed without cost. The impugned notice dated 01.04.2014, passed in Na.Ka/1524/A1/2014, by the second respondent is quashed. Consequently, connected Miscellaneous Petition is closed.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

gya

To

1.The Inspector General of Registration,  
Chennai.

2.The District Registrar,  
Erode District, Erode.

3.The Sub Registrar,  
Ammamet, Erode District.

+1 CC TO mr.e.vijayanand Advocate SR.NO. 75559

+1 cc to Government Pleader SR.NO. 76345.

W.P.No.10367 of 2014

RD 13/11/2016