

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2017

CORAM

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

W.P.No.27878 of 2012
and
M.P.Nos.1 and 2 of 2012 & 1 of 2015

1. Janagaraj
 2. Subramaniam
 3. Venkatachalam
 4. Dhanalakshmi
- [Petitioners]

Vs

1. The Inspector General of Registration,
20, Santhome High Road,
Chennai - 28.
2. The District Registrar,
(Administration),
Rank of DIG of Registration,
Tiruppur,
Tiruppur District.
3. The Sub Registrar,
Kangayam,
Tiruppur District.
4. M.Kuppusamy

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari calling for the records relating to the impugned Circular No.67 dated 03.11.2011 in C.No.52338/C1/2011 on the file of the first respondent and the subsequent proceedings in Na.Ka.No.4282/Aa1/2012 dated 16.07.2012 on the file of the second respondent and quash the same.

For Petitioners : Mr.N.Manokaran

For Respondents : Mr.R.Vijayakumar, AGP (R1 to R3)
Not Ready (R4)

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ORDER

[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 the records relating to Circular No.67 dated 03.11.2011 in C.No.52338/C1/2011 on the file of the first respondent and the subsequent proceedings passed in Na.Ka.No.4282/Aa1/2012 dated 16.07.2012 by the second respondent and quash the same.

2. Learned counsel appearing for the petitioners has contended to the effect that Circular No.67 dated 03.11.2011 has been subsequently withdrawn by the Government of Tamil Nadu by virtue of another Circular dated 20.10.2017 and therefore, the consequential order passed by the second respondent also goes out.

3. Learned Additional Government Pleader appearing for respondents 1 to 3 has submitted a copy of Circular dated 20.10.2017 issued by the Government of Tamil Nadu, wherein, it has been clearly stated that the impugned Circular No.67 dated 03.11.2011 has already been withdrawn.

4. It is an admitted fact that the second respondent has issued the proceedings in Na.Ka.No.4282/Aa1/2012 dated 16.07.2012 in pursuance of Circular No.67. Since Circular No.67 itself has been withdrawn, the power granted under the said Circular to the second respondent also goes out and therefore, the proceedings dated 16.07.2012 passed in Na.Ka.No.4282/Aa1/2012 is also liable to be quashed.

5. In fine, this writ petition is allowed in part without costs. The proceedings dated 16.07.2012 passed by the second respondent in Na.Ka.No.4282/Aa1/2012 is quashed. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Jr1

To

1. The Inspector General of Registration,
20, Santhome High Road,
Chennai - 28.

2. The District Registrar,
(Administration),
Rank of DIG of Registration,
Tiruppur,
Tiruppur District.

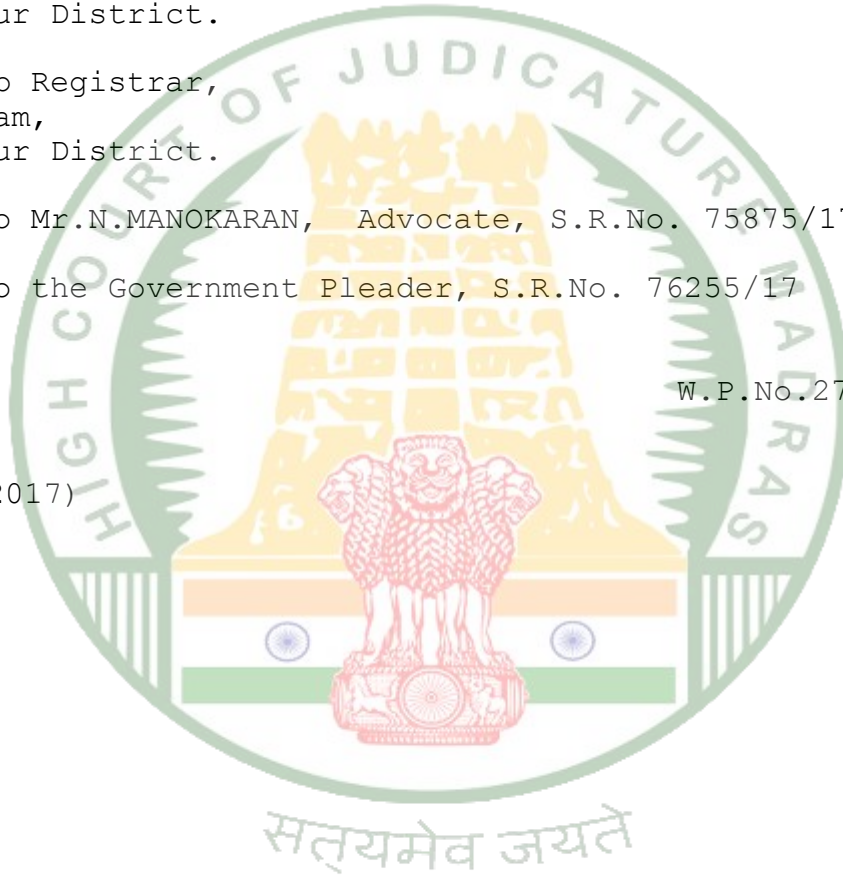
3. The Sub Registrar,
Kangayam,
Tiruppur District.

+1cc to Mr.N.MANOKARAN, Advocate, S.R.No. 75875/17

+1cc to the Government Pleader, S.R.No. 76255/17

W.P.No.27878 of 2012

(CO)
TR(27/11/2017)



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