

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.28304 of 2012
and
M.P.No.2 of 2012

Jonnalagadda Lakshmi Siva Jothi [Petitioner]
Vs

1. State Represented by
The Inspector General of Registration,
No.100, Santhome High Road,
Santhome,
Chennai - 600 028.

2. The District Registrar,
Office of the District Registrar,
No.9, Genees Road,
Saidapet, Chennai - 600 015.

3. The Sub Registrar,
Neelakarai,
Office of the Sub-Registrar,
Neelakarai.

4. R.Venkateswaran [Respondents]

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari calling upon the impugned Circular No.67 dated 03.11.2011 on the file of the first respondent and the consequential communication of the second respondent in his proceedings No.5946/A1/2012 dated 14.06.2012 and to quash the same.

For Petitioner : Mr.M.Raja Sekhar

For Respondents : Mr.R.Vijayakumar, AGP (R1 to R3)
Mr.Zaffarullah Khan (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 on the file of the first respondent and the consequential communication of the second respondent in proceedings No.5946/A1/2012 dated 14.06.2012 and quash the same by way of issuing a writ of certiorarified mandamus.

2. Learned counsel appearing for the petitioner has advanced his arguments on the basis of the averments made in the petition.

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of Tamil Nadu, wherein, it is clearly stated that the impugned Circular No.67 dated 03.11.2011 has already been withdrawn.

4. Considering the fact that Circular No.67 dated 03.11.2011 itself has already been withdrawn, the first relief sought in the writ petition has become infructuous.

5. In respect of second relief, the contention put forth on the side of the petitioner is that only in pursuance of Circular No.67 dated 03.11.2011, the second respondent has taken such kind of proceedings.

6. Since Circular No.67 itself has been withdrawn, the second respondent has no locus standi to issue such kind of communication and therefore, with regard to the second relief, the writ petition is liable to be allowed.

7. In fine, this writ petition is allowed in part without costs. The communication of the second respondent in his proceedings No.5946/A1/2012 dated 14.06.2012 is quashed. The connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

Jr1

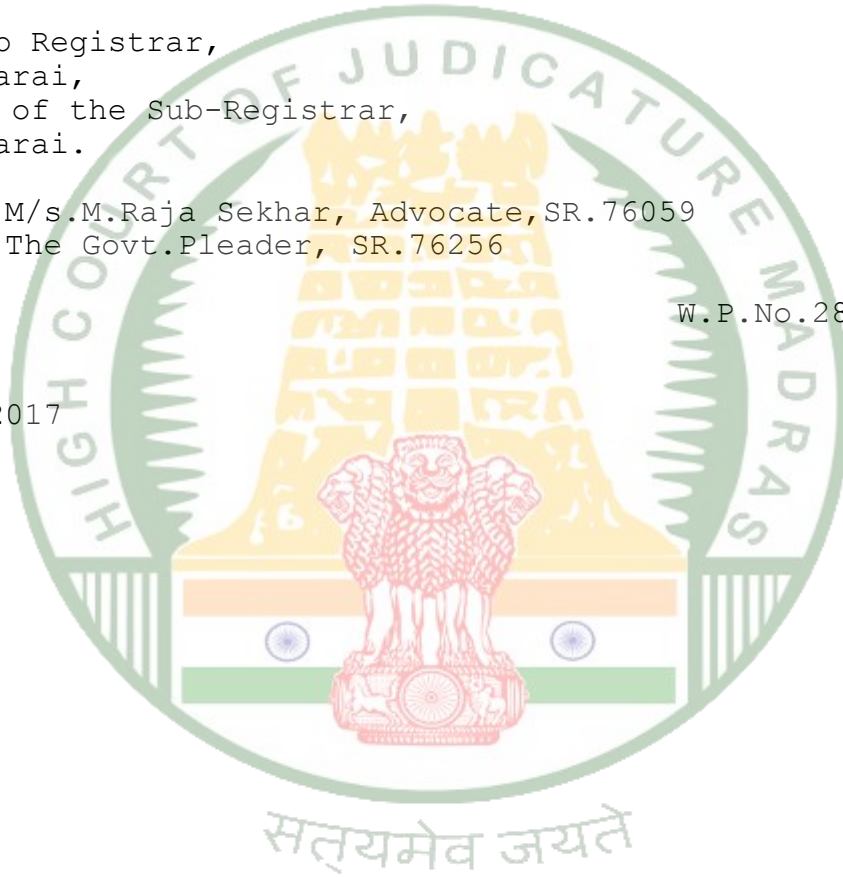
To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Santhome,
Chennai - 600 028.
2. The District Registrar,
Office of the District Registrar,
No.9, Genees Road,
Saidapet, Chennai - 600 015.
3. The Sub Registrar,
Neelakarai,
Office of the Sub-Registrar,
Neelakarai.

+ 1 cc to M/s.M.Raja Sekhar, Advocate, SR.76059
+ 1 cc to The Govt.Pleader, SR.76256

W.P.No.28304 of 2012

SJ(CO)
NR 21/11/2017



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