

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2017

CORAM

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

W.P.No.18718 of 2013
and M.P.No.1 of 2013

M.S.A.M. MOHAMED IQBAL [PETITIONER]

Vs

1 THE INSPECTOR GENERAL OF REGISTRATION
SANTHOME CHENNAI-28.

2 THE DISTRICT REGISTRAR (ADMINISTRATION)
REGISTRATION DEPARTMENT
ERODE DISTRICT REGISTRAR OFFICE
ERODE DISTRICT.

[RESPONDENTS]

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the Second Respondent to hold enquiry and pass orders in pursuant to petition submitted on 18.3.2013 by the Petitioner in accordance with the Circular No.67 dated 03.11.2011 (C.No. 52338/C1/2011) of the first respondent as well as under Secs. 82 and 83 of the Registration Act 1908.

For Petitioner : Mr.H.Nazirudeen

For Respondents : Mr.R.Vijayakumar, AGP

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 direct the 2nd Respondent to hold enquiry in pursuance of the petition dated 18.03.2013 given by the Petitioner in accordance with the Circular No.67 dated 03.11.2011 (C.No. 52338/C1/2011) by way of issuing a writ of 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 has submitted a copy of Circular dated 20.10.2017, wherein, it is clearly stated that the Circular No.67 dated 03.11.2011 has been withdrawn by the Government of Tamil Nadu.

4. Considering the fact that Circular No.67 dated 03.11.2011 passed in C.No.52338/C1/2011 has already been withdrawn by the Government of Tamil Nadu on 20.10.2017, the 1st portion of the relief sought in the writ petition has become infructuous. With regard to the 2nd portion of the relief sought, the 2nd respondent can be directed to look into the petition alleged to have been given by the petitioner on 18.03.2013. With the above observations, the writ petition is liable to be allowed in part.

5. In fine, the writ petition is allowed in part without costs. With regard to the 1st relief sought in the writ petition, the same is dismissed. However, the 2nd respondent, the District Registrar, is directed to look into the petition dated 18.03.2013 alleged to have been given by the petitioner, as early as possible. In view of the above, the miscellaneous petition for impleading stands dismissed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

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To

1 THE INSPECTOR GENERAL OF REGISTRATION
SANTHOME CHENNAI-28.

2 THE DISTRICT REGISTRAR (ADMINISTRATION)
REGISTRATION DEPARTMENT
ERODE DISTRICT REGISTRAR OFFICE
ERODE DISTRICT.

+1 C.C. to M/S.P.HARI BABI Advocate SR.No. 74979

W.P.No.18718 of 2013

SKS (CO)

T.R (16/11/2017)