

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18097 of 2004

R.Bose

... Petitioner

Vs.

The District Revenue Officer,
Tiruchirapalli.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorari to call for the records of the respondent in his proceedings Na.Ka.G5/22522/2003 dated 05.03.2004 and quash the order passed.

For Petitioner : Mr.S.Ilamvaludhi,
For Respondent : Mr.M.Elumalai,
Government Advocate.

O R D E R

The Petition has been filed for issuance of writ of Certiorari to quash the proceedings Na.Ka.G5/22522/2003 dated 05.03.2004.

2.The order passed by the respondent on 05.03.2004 was under challenge in this writ petition, wherein the respondent had issued a direction to the Tahsildar, Tiruchirappalli to take action against the petitioner's magazine, which was published in the name and style of "Grama Nirvagi", as the same is contrary to Rule 15(A) of the Press and Registration of Books Act, 1867.

3. The case of the petitioner is that the petitioner is the Editor of "Grama Nirvagi" which was published for the welfare of the Village Administrative Officers. Initially, the "Grama Nirvagi "Magazine was being printed at the press owned by one Amutha, wife of Mahalingam, who is not a party herein, at Door No.7, Puguzhia Pillai Street, Tiruchirappalli Taluk. Thereafter, the said place of printing was changed to Karaikudi. Aggrieved by the same, the said Amutha filed a complaint before the Revenue District Officer stating that the said magazine is running contrary to the Press and Registration of Books Act,

1867 and requested the authority to take action.

4. Accordingly on 06.02.2004, the enquiry was conducted by the District Revenue Officer, Tiruchirapalli but the petitioner failed to appear before the authority and the enquiry reveals that the magazine "Grama Nirvagi" has been published without the name of the press.

5. It is proved beyond doubt from the enquiry that the magazine "Grama Nirvagi" was not published from the press for which the declaration was originally filed, but printed in some other press. Further, the authority found that the running of "Grama Nirvagi" which was originally declared to be printed and published from door No.23, J.M.Complex, Chinna Kadai Veethi, Tiruchirappalli Taluk, with the name of the publisher Mr.R.Bose, the petitioner herein, has violated the rules of publication of the magazine which and hence, the same was stayed. Aggrieved over the same, a representation had already been made by the petitioner on 12.04.2004 to set aside the same.

6. The learned counsel appearing for the petitioner has restricted his claim and requested the Court to direct the respondent to consider his representation dated 12.04.2004 and dispose of the same.

7. On perusal of the case records, it is seen that this Court has granted interim stay on 14.07.2004.

8. Considering the limited prayer made on behalf of the petitioner, this Court is inclined to issue a direction to the respondent to consider the representation dated 12.04.2004 and pass appropriate orders as early as possible. Accordingly, this writ petition is disposed of. No costs.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

kas/msvm

To

The District Revenue Officer,
Tiruchirapalli.

+1 CC to Mr.S. Ilamvaludhi, Advocate sr 66329.

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GMI (CO)

sp(02/11/2017)