



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESHW.P.(MD) No.14857 of 2018

Haider Ali

... Petitioner

vs.

- 1.The Deputy Inspector
General of Registration
Office of the Deputy Inspector
General of Registration
Collectorate Campus, Tirunelveli
- 2.The District Registrar
District Registrar Office
Tenkasi, Tirunelveli District
- 3.The Sub Registrar
Office of the Sub Registrar Alangulam
Alangulam, Thenkasi, Tirunelveli District
- 4.The Sub Registrar
Office of the Sub Registrar Melapalayam
Melapalayam, Tirunelveli District

5.Ramesh

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent to conduct a detailed enquiry based on petitioner's representation, dated 03.07.2018 against the proceedings of the third respondent on petitioner's protest petition dated 26.06.2018 within a stipulated time.

For Petitioner : Mr.D.Selvaraj

For Respondents : Mr.M.Murugan
1 to 4 Government Advocate

O R D E R

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents 1 to 4. Notice to the fifth respondent is dispensed with in view of nature of the order to be passed by this Court.



2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 03.07.2018 seeking to conduct a detailed enquiry against the proceedings of the third respondent on his protest petition dated 26.06.2018, has not been considered by the official respondents till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the official respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 03.07.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the fifth respondent and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

1. The Deputy Inspector
General of Registration,
Office of the Deputy Inspector
General of Registration,
Collectorate Campus, Tirunelveli.

2. The District Registrar,
District Registrar Office,
Tenkasi, Tirunelveli District.



3.The Sub Registrar,
Office of the Sub Registrar Alangulam,
Alangulam, Thenkasi, Tirunelveli District.

4.The Sub Registrar,
Office of the Sub Registrar Melapalayam,
Melapalayam, Tirunelveli District.

+1cc to Mr.D.Selvaraj, Advocate, SR.No.72226.

+1cc to Special Government Pleader, SR.No.72515.

W.P. (MD) No.14857 of 2018
11.07.2018

krk

RAM/SKN RSK/SAR 1/19.07.2018/3P/7C