



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P (MD) No.18752 of 2017

M.Ramakrishnan

.. Petitioner

Vs.

1. The District Collector,
Collectorate,
Ramanathapuram District,
Ramanathapuram.
2. The District Registrar,
Registration Office,
Ramanathapuram.
3. The Inspector General of Police,
Registration Office,
Santhom High School,
Chennai.
4. The Secretary to Government,
Registration Department,
Secretariat,
St. George Fort,
Chennai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to impugned order passed by the 2nd respondent in Na.Ka.No.157/M4/2016, dated 20.01.2016 and quash the same as illegal and consequently direct the respondents not to close the Sub Registration Office, Kadaladi Taluk, Ramanathapuram.

For Petitioner

: Mr.M.Muniasamy

For Respondents

: Mr.C.Marichellaiah Prabu
Addl. Government Pleader

**ORDER**

[Order of the Court was made by **M. SATHYANARAYANAN, J.**]

By consent, this writ petition itself is taken up for final disposal.

2. This writ petition is filed as a Public Interest Litigation by the petitioner, who claims to be the State Joint Secretary of Commercial Forum, stating among the other things that the Office of the Sub Registrar was functioning in Kadaladi for nearly 37 years and initially the said Office was functioning on a rented premises and for the past three years, it is located in a Government building built on the land donated by somebody. All of a sudden, without hearing the views of the local public, the Government has decided to shift the Office to some other place. The petitioner, in that regard, submitted a detailed representation, dated 04.10.2017 to the Commercial Taxes and Registration Department, Secretariat, Chennai. In-spite of receipt of acknowledgment, no response is forthcoming and steps are being taken to shift the Office. Therefore, he came forward to file this writ petition.

3. The learned Additional Government Pleader appearing for the respondents has drawn the attention of this Court to the counter affidavit filed by the second respondent and he would submit that the apprehension expressed by the petitioner is wholly unfounded for the reason that as of now, no policy decision has been taken and no steps are being taken to shift the Office of the Sub Registrar, Kadaladi and as such, the writ petition is premature. Hence, he prays for dismissal of the writ petition.

4. This Court consider the rival submissions made on either side and perused the materials available on record.

5. It is relevant to extract paragraph No.5 of the counter affidavit of the second respondent, dated 03.11.2017:

"5. It is humbly submitted that, as of now the Government have not ordered closure of the Sub Registrar's Office, Kadaladi. Nor the Government have notified any policy decision or order to close this Office. The averments of the petitioner are imaginary and premature in nature. As such there is no need for the petitioner to file this writ petition. As contents of this Office Letter No.157/B4/2016, dated 20.01.2016 is only an information and hence, deserves no challenge. The present writ



petition is premature and also not maintainable in the eyes of law."

6. In the light of the above stand taken by the second respondent, this Court is of the considered view that the writ petition is premature and therefore, it is closed. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Collectorate,
Ramanathapuram District,
Ramanathapuram.
2. The District Registrar,
Registration Office,
Ramanathapuram.
3. The Inspector General of Police,
Registration Office,
Santhom High School,
Chennai.
4. The Secretary to Government,
Registration Department,
Secretariat,
St. George Fort,
Chennai.

+1cc to The Spl.Government Pleader Sr.No.41496

GCG

VB/KKR/SAR4/24/01/2018/3P/6C

ORDER MADE IN
W.P(MD)No.18752 of 2017
09.01.2018