

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2019

CORAM:

The Honourable Mr. Justice M.M.SUNDRESH
and
The Honourable Mr. Justice RMT.TEEKAA RAMAN

Writ Petition No.1533 of 2019

R.Saravanakumar

... Petitioner

vs.

1. The Registrar General,
High Court of Madras,
Chennai.

2. The Principal District Judge,
Dharmapuri District,
Dharmapuri.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the proceedings of the 2nd Respondent in D.No.5859/2018, dated 09.10.2018 and quash the same as illegal, incompetent and ultravires and consequently, direct the 2nd Respondent to take action on the Petitioner's complaint dated 13.07.2017.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.S.Thangavel

O R D E R

[Order of the court was made by M.M.SUNDRESH,J.]

The Petitioner has challenged the proceedings dated 09.10.2018 of the 2nd Respondent, which is a communication sent by the Principal District Judge, Dharmapuri to the Registrar General of this Court, making the following statement.

"... I submit that on receipt of the complaint from Tr.R.Saravanakumar, notice was issued to him to appear before the Principal District Judge, Dharmapuri on 25.07.2017 and remarks was also called for from the Judicial Magistrate No.I, Dharmapuri in this regard. On 24.07.2017, the Judicial Magistrate has submitted remarks stating that except the following

documents all other documents submitted are copies only and hence, Copy Application No.66/2017 was returned.

S.No .	Date	Description and nature of the document
1	16.06.2012	Complaint given to the S.P. - Office copy
2	06.08.2013	Order of the Hon'ble High Court, Madras in Crl.O.P.No.7250/2013 - Certified Copy
3		Resume of Vidya - Original

..."

2. From the above communication, which is an internal one, it appears that only three documents are original and others are xerox copies. Therefore, the certified copies of all the documents indicate that there were only three original documents, which is nothing but an oversight.

3. Incidentally, for the above said mistake, departmental action was taken by the Principal District Judge, Dharmapuri District, and thereafter, on enquiry, further action was dropped. In such view of the matter, we do not find any infirmity in the inter-departmental communication.

4. At this juncture, learned counsel for the Petitioner submitted that subsequent private complaint was filed before the Judicial Magistrate, Harur. However, the complaint was not taken on file stating that, papers will be placed before the Sub-Court, Harur. However, the abovesaid papers are also missing.

5. Though the said statement made by the learned counsel for the Petitioner is not the subject matter of the present Writ Petition, taking note of the aforesaid statement, we give liberty to the Petitioner to approach the Chief Judicial Magistrate, Dharmapuri, for appropriate action to redress his grievance.

The Writ Petition is disposed of with the above direction. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

(aeb)

To:

1. The Registrar General,
High Court of Madras,
Chennai.
2. The Principal District Judge,
Dharmapuri District,
Dharmapuri.

+1 CC to Mr.R.Jayaprakash, Advocate sr 88884

W.P.No.1533 of 2019

PM(CO)
SP(28/11/2019)



WEB COPY