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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.30468 of 2019 and
W.M.P.No.30492 of 2019

R.Munusamy

.. Petitioner

Versus

1.The Inspector General of Registration,
Santhome High Road, Santhome,
Chennai.

2.The District Registrar,
Registration Department,
North Chennai Registration District,
1st Floor, Kuralagam,
Chennai-600 001.

.. Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 26.09.2019 within a stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.T.M.Pappiah
Spl. G.P.

ORDER

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

The petitioner is a resident of Kamaraj Nagar, Redhills, Chennai-600052 and he came forward to file this writ petition as a Public Interest Litigation stating among other things that originally a decision has been taken to construct the office of the Sub Registrar, Redhills, North Chennai, on the land belong to the Government at Padiyanallur Village and however, the decision was taken not to construct the said building and a decision has been taken to construct the office about 2½ kms.



away from the place at Palavoyal Village, which was originally identified at Padiyanallur Village.

2. The learned counsel appearing for the petitioner would submit that the land which is identified for location / construction of Sub Registrar Office lies in close proximate to burial / cremation ground and normally, registration take place on auspicious occasion and on account of the said location of the Sub Registrar Office near the burial ground, sentiments of the people who come for registration would definitely be affected and despite availability of Government land, an inconvenient place has been chosen for some reasons to locate and construct the office of the Sub Registrar. The learned counsel appearing for the petitioner would add that the petitioner, in this regard, has also submitted a detailed representation dated 26.09.2019 to the 2nd respondent and despite receipt and acknowledgment, no response is forthcoming and therefore, the petitioner is constrained to approach this Court by filing this writ petition, styled as a Public Interest Litigation.

3. Mr.T.M.Pappiah, learned Special Government Pleader, who accepts notice on behalf of the respondents, would submit that taking into consideration all the relevant aspects, a fair decision has been taken to locate the office of the Sub Registrar at Palavoyal Village and it is not for the petitioner to dictate as to the place in which the said office should come into existence and since it is also a policy decision, this Court, in exercise of it's jurisdiction under Article 226 of the Constitution of India, may not interfere with the same and prays for dismissal of this writ petition.

4. This Court has considered the rival submission and also perused the materials placed before it.

5. The petitioner, in his representation, has also expressed inconvenience in reaching the said place. This Court can take judicial notice of the fact that now a days most of them using mechanised transport to reach their destination. The petitioner also expresses some sentiment as to the location of the office of the Sub Registrar near burial / cremation ground.

6. In the considered opinion of this Court, sentiments have no role to play as to the decision taken by the concerned authority to locate the office of the Sub Registrar and even otherwise, it is not for the Court to dictate, in which place the office of the Sub Registrar should be located / constructed. As rightly pointed out by the learned Special Government Pleader, it is also the decision of the respondents, after taking into consideration all the relevant aspects to locate the



office of the Sub Registrar in that particular place. In the light of the limited scope of judicial review of the policy decision, this Court is unable to come to the aid of the petitioner.

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7. The writ petition stands dismissed. No costs. Consequently connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

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To

1.The Inspector General of Registration,
Santhome High Road, Santhome,
Chennai.

2.The District Registrar,
Registration Department,
North Chennai Registration District,
1st Floor, Kuralagam,
Chennai-600 001.

+1cc to Mr.C.Prakasam, Advocate, SR.No.89340.
+1cc to Government Pleader, SR.No.89695.

WP.No.30468 of 2019

RT (CO)
CSR(17/12/2019)



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