



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.07.2019**

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.2276 of 2016

and

W.M.P. (MD) Nos.2000 and 2001 of 2016

Ramalingam

...Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome Highway,
Santhome,
Chennai.

2.The District Registrar,
O/o. District Registrar Office,
Railway Feeder Road,
Tenkasi,
Tirunelveli District.

3.The Enquiry Officer &
District Registrar,
Kanyakumari @ Nagercoil,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the first respondent in his proceedings in Charge Memo No.62469/V1/2012-1 dated 15.12.2014 and quash the same as illegal.

For Petitioner

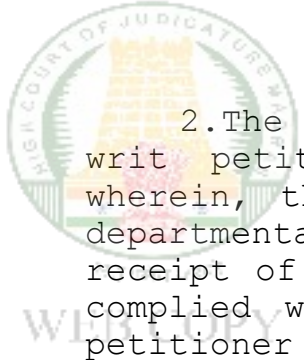
: Mr.A.Velan for
M/S.Ajmal Associates

For Respondents

: Mr.M.Murugan
Government Advocate

ORDER

This Writ Petition has been filed to quash impugned order dated 15.12.2014 passed in Charge Memo No.62469/V1/2012-1 by the first respondent.



2.The grievance of the petitioner is that he already filed a writ petition in W.P.(MD) No.5271 of 2015, dated 24.04.2015, wherein, this Court directed the first respondent to conclude the departmental enquiry within a period of two months from the date of receipt of a copy of the order. But, the first respondent has not complied with the order passed by this Court. Once again, the petitioner has filed another writ petition in W.P.(MD) No.18217 of 2015 and this Court by order dated 08.10.2015, directed the respondents to conclude the departmental enquiry within a period of two months from the date of receipt of a copy of the order. But, till today the respondents have not concluded the departmental enquiry.

3.When the matter was taken up for hearing on 03.06.2019, this Court directed the first respondent to instruct the concerned District Registrars and Sub Registrars to file the counter affidavits in the pending writ petitions relating to the Kanyakumari District, failing which, the Inspector General of Registration is to take departmental action for non-filing of the counter affidavits in all pending writ petitions.

4.Today, the learned Government Advocate appearing for the respondents would submit that a final order has already been passed by the Inspector General of Registration on 01.03.2016 by discharging all the charges initiated against the petitioner based on the report submitted by the Disciplinary Authority/third respondent and the same has also been communicated to the petitioner, which was acknowledged by him on 04.03.2016. But unfortunately, the petitioner died on 02.06.2018, while he was in service. Further, the learned Government Advocate would submit that for compliance of the order passed by this Court on 03.06.2019, the third respondent filed his counter statement by stating that totally 24 writ petitions are pending with regard to Kanyakumari District and except this case and one service matter, counter affidavit has been filed in 22 pending writ petitions out of 24 pending writ petitions.

5.Further, the learned Government Advocate undertakes to file counter affidavit insofar as the remaining 2 pending writ petitions are concerned within a period of two weeks.

6.Recording the aforesaid submission, this Writ Petition is dismissed with a direction to the third respondent/District Registrar to file a counter in the remaining two cases and submit a report before the jurisdictional District Registrar. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (ADII)

// True Copy //



To

1.The Inspector General of Registration,
100, Santhome Highway,
Santhome,
Chennai.

2.The District Registrar,
O/o. District Registrar Office,
Railway Feeder Road,
Tenkasi,
Tirunelveli District.

3.The Enquiry Officer &
District Registrar,
Kanyakumari @ Nagercoil,
Kanyakumari District.

+One cc M/s.Ajmal Associates, Advocate, SR.No.73618
+One cc to The Special Government Pleader, SR.No.73732

W.P. (MD) No.2276 of 2016
04.07.2019

RL/17.07.2019/3P/6C