



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.11.2019**

CORAM:

THE HONOURABLE **MR.JUSTICE M.SUNDAR**

W.P(MD)No.24283 of 2019

and

W.M.P.(MD)Nos.20888 and 20889 of 2019

M.Pugazhendhi

... Petitioner

Vs.

The Government of India,
Ministry of Law and Justice,
Department of Legal Affairs (Notary cell),
Shastri Bhavan, New Delhi-110001
represented by
the Joint Secretary and Legal Advisor.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 21.02.2019 with names of candidates for appointment of Notaries for the State of Tamil Nadu on the file of the respondent and quash the same as illegal to the extent of non-selection of the candidates under persons with Disability category and consequently to direct the respondent to select and appoint the petitioner by following 4% reservation to the persons with disability as per Section 34 of the Rights of Persons with Disabilities Act, 2016 within the stipulated time as fixed by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondent : Mr.V.Kathirvelu
Assistant Solicitor General of India
assisted by Mr.P.Subbiah

ORDER

Mr.I.Pinaygash, learned Counsel on record for writ petitioner and Mr.P.Subbiah, learned Counsel, who accepts notice for the sole respondent lead by Senior Counsel and Assistant Solicitor General of India Mr.V.Kathirvelu are before this Court.

2. With consent of learned Counsel on both sides, main writ
<https://hcservices.ecourts.gov.in/hcservices/>



petition is taken up, heard out and is being disposed of.

3. Short point in this writ petition pertains to 4% reservation for persons with benchmark disabilities in accordance with Section 34 of the 'Rights of Persons with Disabilities Act, 2016' (hereinafter 'RPD Act' for brevity) for notaries appointed by Central Government for the State of Tamil Nadu.

4. There is no disputation or disagreement that this point is now covered by an order made by this Court being order dated 15.11.2019 made in W.P.(MD)No.4692 of 2019 etc.. Operative portion is paragraph No.52, which contains six sub-paragraphs ie., (a) to (f).

5. Adverting to sub paragraphs of Paragraph No.52, learned Counsel for writ petitioner submits that writ petitioner is one amongst 1560 who attended the interview, but was not selected and it is also submitted that the writ petitioner has benchmark disability. This submission is made by adverting to the disability certificate of writ petitioner dated 26.06.2015, filed as part of typed set of papers (at page No.11).

6. In the light of the aforesaid position, it follows as a sequitur that writ petitioner in the instant writ petition will stand governed by the order dated 15.11.2019 made in W.P.(MD)No.4692 of 2019 etc., and therefore, no further orders are required in instant writ petition.

7. Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

SSL

To

The Joint Secretary and Legal Advisor.
The Government of India,
Ministry of Law and Justice,
Department of Legal Affairs (Notary cell),
Shastri Bhavan, New Delhi-110001.



+1 CC to M/s.P. SUBBIAH, Advocate (SR-100125[F] dated 21/11/2019)

+1 CC to M/s.I.PINAYGASH, Advocate (SR-100443[F] dated 22/11/2019)

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