



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.24010 of 2021

Bhashyam Narasimhan

...Petitioner

vs

1. State of Tamil Nadu,
Rep by Secretary to Government Law,
(Administration) Department,
Chennai-600 009.

2. The Deputy Secretary to Government,
Law (Administration) Department,
Secretariat,
Chennai-600 009.

...Respondents

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus or any other writ, calling for the records relating to Letter No.10345/Admin/ 2021-1 dated 26.4.2021 Law (Admin) Department, issued by the Respondent herein and quash the same consequently direct the Respondent to Renew the Certificate of Practice from 13.10.2021.

For Petitioner : Mr. D.Govinda Reddy

For Respondents: Mr. M.R.Gokul Krishnan
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records relating to Letter No.10345/Admin/ 2021-1 dated 26.4.2021 Law (Admin) Department, issued by the Respondent herein and to quash the same consequently directing the Respondent to Renew the Certificate of Practice from 13.10.2021.

2. The case of the petitioner is that the petitioner has applied for Notary Public and the Certificate of Practice was issued on 13.10.1992 for a period of 3 years and the petitioner has renewed the certificate periodically and it was last renewed



for a further period of 5 years with effect from 13th October 2016 issued vide G.O.(Ms).No.182 law dated 22.04.2016.and the same has got expired on 12th October 2021. The petitioner has applied for renewal of Certificate of Practice through on-line vide application No.APP/REN/CHN 22040024, dated 22.04.2021. The respondents without considering the application of the petitioner rejected the same vide Letter No.10345/Admin/2021-1, dated 26.04.2021 stating that the due date of expiry of the petitioner's Certificate of Practice on 12th October 2021 the application has to be submitted on or before 12.04.2021 through on-line and wrong date of renewal has been shown and hence, the application for renewal of the certificate of practice cannot be accepted and the renewal fee of Rs.1000/- paid by the petitioner will be refunded in due course. Thereafter, the petitioner sent representation dated 03.05.2021 and 15.09.2021 to the Secretary (Law and Administration) Department, Government of Tamil Nadu for reconsideration of Renewal Application, but till date there was no action taken. Hence, this Writ petition.

3. The learned counsel appearing for the petitioner submitted that due to technical issue in applying on-line and since the petitioner has inadvertently mentioned the last renewal date wrongly as 13.10.2021 instead of 13.10.2016 and there is no other allegation except the mistake in date for rejecting the on-line renewal application is not sustainable . Hence, the petitioner prays this Court may direct the respondents to consider the petitioner's representation and pass suitable favourable orders within a stipulated time frame.

4. The learned counsel appearing for the respondent has no serious objection for the prayer sought for by the petitioner and he submitted that the authorities concerned will consider the petitioner's representation and pass appropriate orders in accordance with law within the time stipulated by this Court.

5. Heard the counsel for both sides and the matter came to final hearing.

6. A perusal of the records reveal that but for the wrong mentioning of the last date of renewal, which has resulted in the rejection, no other errors/discrepancies are pointed out for rejecting the application. The application has been submitted in on-line mode and there is an element of error which could creep in, while submitting the application. So long as the said error is neither wanton nor it relates to malpractice, rejecting the application for typographical error should have been dealt with leniently, that too during this pandemic period.

7. In view of above, this Court is inclined to set aside the



order passed vide Letter No.10345/Admin/2021-1, dated 26.04.2021 and remand back the matter to the respondents and the respondents are directed to pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order on the application of the petitioner in the light of the observations made by this Court above.

8.This Writ Petition is allowed with the aforesaid direction. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

skt

To

1. State of Tamil Nadu,
Rep by Secretary to Government Law,
(Administration) Department,
Chennai-600 009.

2. The Deputy Secretary to Government,
Law (Administration)Department,
Secretariat,
Chennai-600 009.

+1cc to Mr.D.Govindareddy, Advocate, S.R.No.59116

+1cc to the Government Pleader, S.R.No.59498

W.P.No.24010 of 2021

PL(CO)
RGA(28/12/2021)