



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

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THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.16604 of 2021

and

W.M.P(MD) .No.13478 of 2021

Murugappan

... Petitioner

Vs.

The Secretary to the Government,
Ministry of Law,
Government of Tamil Nadu,
Secretariat,
Chennai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to extend the period of Certificate of Practice of the Notary by considering the online application of the petitioner in No.APP/EXN/PDK0803/00001.

For Petitioner : Mr.RM.Arun Swaminathan
For Respondent : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks a direction to the respondent to pass orders for extension of his Certificate of Practice as a Notary.

2. The petitioner states that he was appointed as a Notary initially by G.O.Ms.No.339 Law Department dated 08.07.1998. Thereafter, he applied for and obtained a renewal of the certificate of practice every five years. The last renewal was for five years from 08.07.2016. The petitioner states that the Notary Rules 1956 were amended in 2019. By such amendment, Rule 8(B) provided that an application for renewal should be submitted online to the appropriate Government six (6) months before the date of expiry of such certificate of practice. The petitioner submitted the application through online mode on 05.03.2021. In response thereto, a confirmation e-mail was received on 12.03.2021 stating that the application has been approved. In view of the failure of the



respondent to extend the Certificate of Practice, the present Writ Petition is filed.

3. The petitioner relies upon the orders passed by the Honourable Supreme Court in the Suo-motu proceedings relating to the extension of limitation period. In particular, the order dated 27.04.2021 is relied upon. The petitioner states that the period of limitation in his case would stand automatically extended by virtue of the aforesaid order.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of the sole respondent. He submits that the respondent may be directed to consider and dispose of the petitioner's application on merits.

5. The documents on record include the original certificate of practice dated 08.07.1998 and the renewals thereof. The petitioner has also produced the application submitted through the online mode on 05.03.2021 and the acknowledgement of receipt thereof on 08.03.2021. In such circumstances, the petitioner has made out a case for the consideration of his application by also taking into account the order issued by the Honourable Supreme Court dated 27.04.2021.

6. Accordingly, the respondent is directed to consider the petitioner's online application bearing No.APP/EXN/PDK0803/00001 dated 05.03.2021 by taking into account the order passed by the Honourable Supreme Court in Suo-motu Writ Petition Civil No.3 of 2020 dated 23.03.2020 and 27.04.2021. Such application shall be disposed of within a fortnight from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.

7. W.P.(MD).No.16604 of 2021 is disposed of on these terms without any order as to costs and consequently connected W.M.P.(MD). No.13478 of 2021 is closed

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

The Secretary to the Government,
Ministry of Law,
Government of Tamil Nadu,
Secretariat,
Chennai.

+1 CC to M/s.SPL.GP (SR-30871[F] dated 01/10/2021)

W.P (MD) No.16604 of 2021
30.09.2021

RD(18.10.2021) 3P 3C