



W.P.No.28859 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.28859 of 2022

C.Suresh Kumar B.A.,B.L., Advocate & Notary Petitioner

-Vs-

The Joint Secretary to the Government of India
Ministry of Law and Justice
Department of Legal Affairs (Notaries)
Sasthri Bhavan, 4th Floor, New Delhi -110 001. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the petitioner's application dated 09.08.2021 and renewal of Notary Certificate within a time to be fixed by this Hon'ble Court.

For Petitioner : Mr.C.Prasanna Venkatesh
For Respondent : Mr.K.Subbu Ranga Bharathi
Central Government Standing Counsel

ORDER

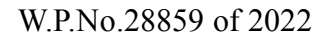
The prayer sought for herein is for a Writ of Mandamus directing the respondent to consider the petitioner's application dated 09.08.2021 and renewal of Notary Certificate within a time to be fixed by this Court.



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2. The petitioner was appointed as Notary Public by the respondent by order dated 01.04.2015 for a period of five years and the five years period expired on 31.03.2020. In the meanwhile, the petitioner due to leg fracture has to undergo a major operation on 30.12.2019 and therefore he had been advised to take bed rest. Subsequently, even after recovering from his illness, due to COVID-19 pandemic the petitioner was not able to make an application for renewal, which ought to have been made 3 months prior to the date of expiry of his licence. The petitioner made an application only on 17.06.2020, however in the said application since full details were not disclosed, the same was not considered by the respondent. The petitioner made a further application on 09.08.2021 with all particulars, which has since not been considered till date, the petitioner has filed the present writ petition with the aforesaid prayer.

3. Heard Mr.K.Subbu Ranga Bharathi learned Central Government Standing Counsel appearing for the respondent who would submit that, the application should have been made three months prior to the expiry date, but due to aforesaid reasons since the petitioner has made the application belatedly ie., initially on 17.06.2020 and subsequently on 09.08.2021, whether such belated application can be taken up or not would be decided and thereafter the plea of the petitioner will be considered on merits and in accordance of law and necessary orders would be passed thereon within a time limit that may be



4. Considering the limited scope of the prayer and having regard to the submissions made by the learned counsel for both parties, this Court is inclined to dispose of this writ petition with the following order.

5. With the above directions, this writ petition is disposed of. No costs.

02.11.2022

The Joint Secretary to the Government of India
Ministry of Law and Justice
Department of Legal Affairs (Notaries)
Sasthri Bhavan, 4th Floor, New Delhi -110 001.



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R. SURESH KUMAR, J.

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W.P.No. 28859 of 2022

02.11.2022