



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.06.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.292 of 2011

and

M.P(MD)No.1 of 2011

A.T.Pasupathy

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome High Road,
Chennai.

2.The District Registrar,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in relation to the impugned order in No.2621/A/2010 dated 15.10.2010 passed by the second respondent and quash the same as arbitrary, illegal, violative of natural justice and violative of Rules of Tamil Nadu Document Writer Licence Rules 1982.

For Petitioner : Mr.A.N.Ramanathan

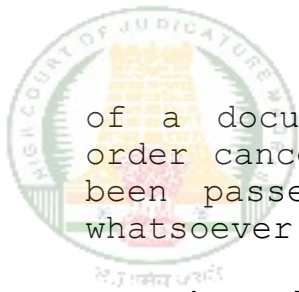
For Respondents : Mr.J.K.Jeyaselan
Government Advocate

ORDER

The present writ petition has been filed challenging an order passed by the District Registrar, Kumbakonam under which the Document Writer Licence of the writ petitioner has been permanently cancelled.

2. The learned counsel for the petitioner attacked the said order on two grounds, namely the order has been passed by the District Registrar, who has no jurisdiction to pass such an order. Further, the order has been passed without giving any opportunity to the writ petitioner.

3. The learned counsel for the petitioner points out that under Rule 16(3) of Tamil Nadu Document Writer Licence Rules 1982, only the licensing authority shall have the power to cancel the license



of a document writer permanently. However, the present impugned order cancelling the license of the writ petitioner permanently has been passed by the District Registrar, who has no jurisdiction whatsoever.

4. Admittedly, the present impugned order has been passed without issuing any notice to the petitioner.

5. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

6. A perusal of Rule 16 (3) of the Tamil Nadu Document Writer Licence Rules, 1982 indicates that the power vest only with the licensing authority for permanent cancellation of the license. However, the present impugned order has been issued by the District Registrar. Hence, the order is without jurisdiction. The order impugned in the writ petition is set aside.

7. This Writ Petition is allowed. However, liberty is granted to the licensing authority to proceed as against the petitioner in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

To

1.The Inspector General of Registration,
Santhome High Road,
Chennai.

2.The District Registrar,
Kumbakonam,
Thanjavur District.

+1 CC to M/s.AN. AMANATHAN, Advocate (SR-26046[F] dated 16/06/2022)

+1 CC to M/s.SPL.GP (SR-26539[F] dated 17/06/2022)

Order made in
W.P (MD) No.292 of 2011

Dated:
16.06.2022

SS (27/06/2022) 2P 5C

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