



W.P.No.24639 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24639 of 2015

and

M.P.No.1 of 2015

C.Devarajan

...Petitioner

Vs.

The District Registrar,
Kancheepuram District,
Kancheepuram.

..Respondent

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records pertaining to the impugned order passed by the District Registrar, Kancheepuram District, the respondent herein vide proceedings No.Na.Ka.No.2578/Aa2/2015 dated 29.6.2015 and quash the same illegal, arbitrary, unreasonable being violative of rules and principles of natural justice.

For Petitioner : Mr.A.R.Suresh

For Respondent : Mr.T.Arunkumar
Additional Government Pleader



W.P.No.24639 of 2015

ORDER

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The enquiry notice dated 29.06.2015 issued by the respondent / District Registrar, Kancheepuram, asking the petitioner to appear for an enquiry on 27.07.2015 at 11:30 a.m is under challenge in the present writ petition.

2. A complaint was registered with the respondent / District Registrar, Kancheepuram regarding the allegation of land grabbing and the District Registrar proposed to conduct an enquiry by affording opportunity to all the parties. Accordingly, an enquiry notice was issued and the said enquiry notice is under challenge in the present writ petition.

3. No writ against such enquiry notice is entertainable and such writ can be entertained, only if the notice has been issued by an incompetent authority having no jurisdiction. On receipt of complaint, the District Registrar is empowered to conduct an enquiry and therefore, the petitioner has to appear before the District Registrar and defend his case in the manner known to law.



W.P.No.24639 of 2015

4. That apart, the impugned enquiry notice lost its relevance, since the notice states that the petitioner should appear on 27.07.2015. Thus, the 1st respondent / District Registrar, Kancheepuram has to issue fresh notice to all the parties and conduct an enquiry by following the procedures as contemplated under law and dispose of the petition as expeditiously as possible.

5. With these observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27.04.2023

Index : Yes
Speaking order
Neutral Citation: Yes/No
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To

The District Registrar,
Kancheepuram District,
Kancheepuram.



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W.P.No.24639 of 2015

S.M.SUBRAMANIAM, J.

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W.P.No.24639 of 2015

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