



WEB COPY



Writ Petition No.20867 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.20867 of 2023

P.Kalyankumar
S/o.Palanisamy

...Petitioner

Vs

1.The State of Tamil Nadu
represented by the
Secretary to Government,
Commercial Taxes & Registration Department,
Fort St. George, Chennai – 9.

2.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai – 28.

3.R.Rajavel,
Sub Registrar,
Vikravandi,
Villupuram District – 605 652.

... Respondents

PRAYER : Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 and 2 to consider the petitioner's application dated 10.10.2021 under Section 197(1)(b) of the Criminal Procedure Code for grant of sanction to prosecute the delinquent Government Servant, the third respondent.



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For Petitioner : Mr.E.Sathiyaraj

For Respondents : Mr.P.Sathish
Additional Government Pleader
[R1 & R2]

ORDER

This writ petition has been filed for issue of a writ of mandamus directing the respondents 1 and 2 to consider the application given by the petitioner on 10.10.2021 wherein the petitioner has sought for sanction u/s.197 Cr.P.C. to prosecute the third respondent.

2. When the matter came up for admission on 14.07.2023, this Court directed learned Additional Government Pleader to take instructions. Accordingly, the matter was posted for hearing today.

3. Learned Additional Government Pleader, on instructions, submitted that already disciplinary proceedings have been initiated against the third respondent under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules and he has been suspended from service pending the enquiry. Learned Additional Government Pleader further submitted that the application given by the petitioner will be considered by



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the respondents on its own merits and in accordance with law and sought for some time.

4. Taking into consideration the facts and circumstances of the case and the limited issue involved in this writ petition, there shall be a direction to the first respondent to consider the application submitted by the petitioner on 10.10.2021 and pass necessary orders within a period of four (4) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with all relevant documents and also a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

18.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm



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N.ANAND VENKATESH, J

gm

To

- 1.The Secretary to Government,
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Fort St. George, Chennai – 9.
- 2.The Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam, Chennai – 28.

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