



WEB COPY



W.P.No.22100 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.22100 of 2023

M.Ranjithkumar

... Petitioner

Vs.

1. The Inspector General Of Registration,
No.100, Santhome High Road,
Foreshore Estate, Chennai - 600028.

2. The District Registrar,
District Collectors Office Compound,
Namakkal, Namakkal District - 637003.

3. P.Venkatachalam

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, call for the records on the file of 2nd respondent pertaining to the proceedings in respect of the impugned summons dated 29.05.2023 bearing N.K.No.75386/A6/2022 and quash the same as without jurisdiction.

For Petitioner : Mr.A.J.Mohamed Kassim

For Respondents :
(for R1 to R2) : Mr.G.Krishna Raja,
Additional Government Advocate



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ORDER

The writ on hand has been instituted challenging the notice issued by the District Registrar in letter dated 29.05.2023, for conducting an enquiry under Section 77(A) of the Registration Act.

2. The third respondent filed a complaint before the second respondent under Section 77(A) of the Act to cancel the registered document. The District Registrar issued notice to the parties and conducted an enquiry. Thereafter, the impugned final notice has been issued to the writ petitioner to produce all further documents if any.

3. The learned counsel for the petitioner states that the petitioner had already participated in the process of enquiry. Further opportunity given by the authorities cannot be found fault with. If at all, the petitioner is having any further explanations or documents, he is at liberty to produce the same before the authorities for the purpose of considering the same.

4. Contrarily such final notice providing an opportunity to the writ petitioner need not be interfered with by the High Court as the said notice has been issued only for the purpose of providing opportunity to the petitioner. It is left open to the petitioner to avail the opportunity or



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otherwise. If at all, the petitioner has not furnished any document, it is for the District Registrar to take a decision based on the available document and pass appropriate orders on merits and in accordance with the law.

5. However, the impugned notice issued by the District Registrar would not provide any cause for the petitioner to file the present writ petition. Thus, the petitioner is at liberty to avail the opportunity, failing which the District Registrar is empowered to pass final orders.

6. With these clarifications, the writ petition stands **dismissed**.
However, there shall be no order as to costs.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

26.07.2023

To
1. The Inspector General Of Registration,
No.100, Santhome High Road,
Foreshore Estate, Chennai - 600028.

2. The District Registrar,
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Namakkal, Namakkal District - 637003.



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S.M.SUBRAMANIAM. J.,

(sha)

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