



W.P.No.24249 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2023

CORAM: JUSTICE N.SESHASAYEE

W.P.No.24249 of 2023
and W.M.P.No.23715 of 2023

V.Ravikumar

...Petitioner

-Vs-

The Deputy Inspector General of Registration,
Registration Department,
Redfields Puliyakulam,
Coimbatore-641 018.

...Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent in Na.Ka.No.2376/A2/2023, dated 25.07.2023 and quash the same and consequently, direct the respondent to conduct the de-nova enquiry by supplying the documents requested by the petitioner.

For Petitioner : Mr.T.N.Rajagopalan
for Mr.P.Kannan Kumar

For Respondent : Mr.C.Kathiravan
Special Government Pleader



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ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner herein challenges a proceeding of the respondent, canceling the right of the petitioner as a document writer.

3.The only grievance of the petitioner is that he was not heard in the matter.

4.In the earlier occasion, Mr.M.Bindran, the learned Additional Government Pleader brought to the notice of the Court that a notice had been served on the petitioner for his appearance on 08.05.2023 and 17.05.2023. However, the petitioner did not appear.

5.The learned counsel for the petitioner submitted that notices were sent through his WhatsApp, and he was not given adequate time to make arrangements for his appearance. This has already brought to the notice of the respondent vide communication, dated 08.05.2023 of the



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petitioner.

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6.Mr.C.Kathiravan, the learned Special Government Pleader, made a statement, on instruction, that the petitioner is involved in a case of offence under Section 420, 406,506(ii) IPC. He also submitted that there is an appeal provision available for the petitioner.

7.The only ground of the petitioner is that an effective opportunity of hearing was not accorded to him as the notice for enquiry was given in the nick of the moment.

8.Now, without getting into the merit of the allegation and counter allegation now exchanged between the counsel, this Court considers that it will be only appropriate to give the petitioner a fresh opportunity of being heard. After all, even if the matter goes to the appellate authority, he needs to have some material highlighting the petitioner's case.

9.This Court, therefore, chooses to set aside the order of the impugned



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proceedings of the respondent, and remands the matter back to the respondent for a *de novo* consideration of the petitioner's case. The respondent is required to provide the materials on the basis on which it chose to cancel the petitioner's license as a document writer and hold an enquiry, after giving 15 days' clear notice. The respondent is also required to extend to the petitioner a right of personal hearing in the matter.

10.This is an opportunity given to the petitioner, and if he defaults this time, the petitioner is told that he will miss an opportunity to approach this Court another time on the same ground.

11.This Writ Petition stands disposed of with the above directions. No Costs. Consequently, the connected miscellaneous petition is closed.

25.08.2023

Index : Yes/No
Internet : Yes/No
Anu



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To
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The Deputy Inspector General of Registration,
Registration Department,
Redfields Puliyakulam,
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N.SESHASAYEE, J.



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