



WEB COPY



W.P.No.34994 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.34994 of 2022

R.Ramakrishnan

... Petitioner

-Vs-

1. The Inspector General of Registration
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2. The Deputy Inspector General of Registration,
1st Floor, Kamaraj Road, Redfields,
Coimbatore – 641 018.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 08.11.2022 to nominate the appellate authority other than DIG, Coimbatore to hear the petitioner's appeal against the order passed by the DRO (Admin), Tiruppur in Na.Ka.6625/A5/2019 dated 28.09.2022 within the time frame fixed by this Court.

For Petitioner : Ms.S.Vasavi Sridevi

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



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ORDER

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The prayer sought for herein is for a writ of mandamus directing the first respondent to consider the petitioner's representation dated 08.11.2022 to nominate the appellate authority other than DIG, Coimbatore to hear the petitioner's appeal against the order passed by the DRO (Admin), Tiruppur in Na.Ka.6625/A5/2019 dated 28.09.2022 within the time frame fixed by this Court.

2. As against the order passed by the District Registrar, Tiruppur dated 28.09.2022, the petitioner preferred an appeal to the second respondent i.e., Deputy Inspector General of Registration, Coimbatore.

3. Before the said appeal is taken up for hearing, the District Registrar, who passed the order originally has been promoted and he has taken charge as Deputy Inspector General of Registration at Coimbatore, therefore, he cannot sit upon his own order, hence, the petitioner wanted the Inspector General of Registration i.e, first respondent to nominate any other Deputy Inspector General of Registration other than one Swaminathan, who in fact passed the order against the petitioner



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originally and that order having been set aside by the Inspector General of Registration was remitted back and in the remand only the present order dated 28.09.2022 was passed, which has been appealed now, therefore the petitioner wanted some other Deputy Inspector General of Registration to conduct the appeal. Hence, the present writ petition has been moved.

4. Heard Ms.Vasavi Sridevi, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents.

5. Learned Special Government Pleader appearing for the respondents would submit that the first respondent would consider the request of the petitioner to nominate any other officer in the cadre of Deputy Inspector General of Registration other than the present Deputy Inspector General of Registration at Coimbatore to hear the appeal filed by the petitioner against the order dated 28.09.2022 and the needful would be undertaken at the earliest, he contended.



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6. Considering the said submission made by the learned Special Government Pleader appearing for the respondents and taking note of the aforesaid innocuous nature of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the first respondent to nominate any other DIG i.e., Deputy Inspector General of Registration other than one Swaminathan, who is presently hold the post of Deputy Inspector General of Registration at Coimbatore, who is the appellate authority against the order, which is passed by the District Registrar dated 28.09.2022 within a period of four(4) weeks from the date of receipt of a copy of this order.

With this direction, this writ petition is disposed of. No costs.

03.01.2023

Index : Yes/No
Speaking order: Yes/No

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To



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R. SURESH KUMAR, J.

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