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W.P.(MD)NO.5388 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5388 of 2022 AND

W.M.P.(MDNos.4379 & 4380 of 2022 & 18440 of 2023

M.Shanthi

... Petitioner

Vs.

1. The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Court,
Chennai.

2. The District Collector,
Virudhunagar District,
Virudhunagar.

3. The District Registrar(Audit),
O/o.the District Registrar(Audit),
Sivagangai District,
Sivagangai.

4. The Sub Registrar,
O/o.The Sub Registrar,
Kalaiyarkovil,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned notice passed by the fourth respondent dated 24.02.2022 and quash the same as illegal within the time stipulated as fixed by this Court.



For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.K.Balasubramani,
Special Government Pleader.
* * *

ORDER

Heard both sides.

2. The impugned demand is based on the auditor's report. The petitioner has not been furnished with a copy of the Auditor report. He was also not heard.

3. On this sole ground of violation of principles of natural justice, the impugned demand is set aside. The matter is remitted to the file of the competent authority. The competent authority shall issue notice to the petitioner and after hearing the petitioner, pass final order on merits and in accordance with law.

4. With this liberty to the respondents, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

09.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

1. The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Court,
Chennai.
2. The District Collector,
Virudhunagar District,
Virudhunagar.
3. The District Registrar(Audit),
O/o.the District Registrar(Audit),
Sivagangai District,
Sivagangai.
4. The Sub Registrar,
O/o.The Sub Registrar,
Kalaiyarkovil,
Sivagangai District.



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G.R.SWAMINATHAN,J.

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