



W.P(MD)No.12571 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.12571 of 2022

and

W.M.P(MD) No.8909 of 2022

K.Meeran Mohaideen

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Santhome High Road,
Chennai.
- 2.The Deputy Inspector General of Registration,
Office of Deputy Inspector General of Registration,
Tirunelveli.
- 3.The District Registrar,
Office of District Registrar,
Tenkasi,
Tenkasi District.



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4.The Sub Registrar,
Sub Registrar Office,
Melapalayam,
Tirunelveli District.

5.The Sub Registrar,
Office of the Sub Registrar,
Veerasigamani,
Tenkasi District.

6.S.Syed Ibrahim

7.S.Chandrasekar

8.Theivakannan

9.Mohammed Ismail

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the second respondent in Na.Ka.No.2789/Thabi/2022 Nil dated.05.2022 and quash the same as illegal and consequently direct the second respondent to take on file the appeal dated 06.05.2022 filed by the petitioner against the order of the third respondent in No.5836/Aa2/2019 dated 30.07.2020 and decide the same on merits.



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For Petitioner : Mr.R.Pon Karthikeyan

For Respondents : Mr.M.Prakash - for R1 to R5
Additional Government Pleader
Mr.F.X.Eugene - for R6 to R8
died - R9

ORDER

Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 5 and the learned counsel appearing for the respondents 6 to 8.

2. The petitioner had filed an appeal in Na.Ka.No. 2789/Thabi/2022 before the second respondent/Deputy Inspector General of Registration, Tirunelveli. The said appeal was dismissed by the impugned order dated 20.05.2022 on the issue of limitation. The original order was passed on 30.07.2020.



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3. It is common knowledge that during that period there was onslaught of Covid-19 pandemic in the country. Thereafter, the Hon'ble Supreme Court had passed necessary directions relaxing the period of limitation for filing any appeal as against any order. It had been stated that the petitioner had filed an appeal on 06.05.2022.

4. Let me not enter into a discussion about the calculation of the number of days within which the appeal should be filed and when the appeal was filed, but set aside the order impugned and direct the second respondent to take the appeal on record, hear it on merits and pass necessary orders after examining the documents presented and the representation made by the parties. Every Quasi Judicial Authority is expected to examine any matter presented before such authority on merits, keeping in mind principles of natural justice. Short circuiting the decision making process would not come to the assistance of such Quasi Judicial Authority.

5. The impugned order is therefore, set aside and direction is given to the second respondent to take back on record, the appeal filed



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by the petitioner and issue notice to the concerned parties, proceed in manner known to law and dispose it. An endeavour is to be made to dispose the same on or before 31.08.2023.

6. With the above direction the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

12.04.2023

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

RM



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To
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C.V.KARTHIKEYAN, J.

RM

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