



W.P(MD)No.21706 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21706 of 2023

Balasubramanian

... Petitioner

Vs.

1.The Inspector General of Registration,

Registration Department,

No.100, Santhome,

Raja Annamalaipuram,

Chennai-600 028.

2.The Deputy Inspector General of Registration,

Registration Department,

Madurai Region,

Y.Othakadai,

Madurai-625 107.

3.The District Registrar (South),

Registration Department,

No.171, Palance Road,

Madurai-625 001.

4.M.Senthilkumar

5.The Sub Registrar,

No.IV, Joint Sub Registrar Madurai South Office,

Palanganatham,

Madurai.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to take appropriate disciplinary action against the fifth respondent on the basis of the petitioner's complaint, dated 14.03.2023.

For Petitioner : Mr.J.Lawrance

For R-1 to R-4 : Mr.T.Villavan Kothai
Additional Government Pleader

For R-5 : Mr.R.Gandhi
Senior Counsel
for Gandhi Associates

ORDER

The present writ petition has been filed by one Balasubramanian seeking disciplinary action as against the fifth respondent on the basis of the petitioner's complaint, dated 14.03.2023.

2. A perusal of the petitioner's complaint, dated 14.03.2023 reveals that the petitioner had attempted to purchase a property from one Tamaraiselvi, Thenmozhi and Nagarajan and when he approached the fifth respondent for registration, he insisted the petitioner to enter into some kind of arrangement



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with him and compelled the petitioner to register another sale agreement. Based upon which, the petitioner is said to have arranged for registration of sale deed and a sale agreement. However, on a later point of time, the fifth respondent has rejected the registration of the sale deed as well as the sale agreement. The petitioner had escalated the said issue to the third respondent herein by way of an appeal. The third respondent has confirmed the orders of the fifth respondent herein. Challenging the said order of the third respondent, the petitioner is intending to file a writ petition before this Court.

3. In the said circumstances, it is the case of the petitioner that wantonly the fifth respondent has chosen to reject those documents in collusion with his vendors and therefore, departmental action should be initiated as against the fifth respondent herein, who has been impleaded in his personal capacity as the fourth respondent. He further contended that after rejecting his document, similar document which was presented by his vendors came to be registered by the fifth respondent herein. Therefore, the petitioner apprehends that there is some kind of collusion between the fifth respondent and his vendors.



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4. The learned Senior Counsel appearing for the fifth respondent submitted that the petitioner is a professional land grabber as per the official records and the same has been produced before the third respondent herein, which has culminated in confirming his order. However, the learned Counsel appearing for the petitioner objects to the said term of 'land grabber'.

5. The facts narrated above will clearly indicate that the petitioner is trying to file a public interest litigation with regard to initiation of departmental action as against the fifth respondent herein. That apart, it is for the employer to decide whether to initiate departmental proceedings or not and it cannot be triggered by a third party. The petitioner is always at liberty to challenge the order of the third respondent herein in a manner known to law and depending upon the said orders of this Court, the petitioner is entitled to proceed further in accordance with law.



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6. With the above said observation, this writ petition stands closed. There shall be no order as to costs.

01.12.2023

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

To

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R.VIJAYAKUMAR, J.

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