



WEB COPY

W.A.No.2193 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and**

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.A.No.2193 of 2022

T.Sankar

... Appellant

Vs.

1. The District Registrar,
Government of Puducherry,
Puducherry.

2. The Sub-Registrar,
O/o the District Registrar,
Government of Puducherry,
Puducherry.

3. Mr.Senthilnathan

... Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 04.02.2022 passed in W.P.No.16631 of 2020.

For Appellant

: Mr.G.Balasubramanian

For R1 & R2

: Mr.V.Vasanth Kumar,
Additional Government Pleader
(Puducherry)



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For R3

: Mr.Prakash Adiapadam

JUDGMENT

(Judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

The Writ Appeal has been instituted against the order dated 04.02.2022 passed in W.P.No.16631 of 2020.

2. The Writ Petition was dismissed at the time of admission stage on the ground that direction to consider the representation for initiation of Departmental action cannot be made against the 3rd respondent.

3. In normal circumstances, the actions of the registering officer under the provisions of Section 86 of the Registration Act is protected. However, if intentional irregularities, illegalities, lapses, derelictions of duty or negligence are identified, then the officials are bound to be subjected to disciplinary proceedings. Therefore, on receipt of a complaint, the authorities competent have to conduct an enquiry to ascertain the *prima facie* case against the officials and thereafter, proceed in accordance with law. This being the principles, the complaint, if any received is to be looked



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into and a decision is to be taken, whether to proceed with the same or not.

4. With these clarifications, the Writ Appeal stands disposed of. No costs.

(S.M.S.,J.) (K.R.S.,J.)
04.03.2024

skr
Index : Yes

To

1. The District Registrar,
Government of Puducherry,
Puducherry.
2. The Sub-Registrar,
O/o the District Registrar,
Government of Puducherry,
Puducherry.



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S.M.SUBRAMANIAM, J.
and
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