



W.P.No.32422 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.32422 of 2023

D.Kothandan

... Petitioner

Vs.

1. The District Registrar (Administration),
Chennai South Zone,
Jones Road, Saidapet,
Chennai – 600 015.

2. The Sub Registrar,
Sub-Registrar Office,
Tambaram,
Chennai – 600 059.

3. Kalarajam

4. B.Dinesh Babu

5. D.Rekha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the first respondent to pass orders in accordance with law based on the petitioner representation dated 22.06.2019 and his statement on 01.09.2020 and to cancel the illegal documents Doc. Nos. 2791/ 1996 6575/ 2018 and 4509/ 2019 on the file



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of Sub- Registrar Tambaram.

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For Petitioner : Mr.V.Chandrakanthan
For R1 & R2 : Mr.U.Bharanidharan
Additional Government Pleader
For R3 & R4 : Mr.L.Infant Dinesh
For R5 : Mr.P.Dineshkumar

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to direct the first respondent to pass orders in accordance with law based on the petitioner representation dated 22.06.2019 and his statement on 01.09.2020 and to cancel the illegal documents Doc. Nos. 2791/ 1996 6575/ 2018 and 4509/ 2019 on the file of Sub- Registrar Tambaram.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the official respondents and the learned counsel for the private respondents and perused the materials available on record.

3. Learned counsel for the petitioner submitted that, based on the



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petitioner's representation dated 22.06.2019, the first respondent issued notice on 17.08.2020, calling him to appear for the enquiry on 01.09.2020 at 11.30 am. The petitioner has also appeared before the first respondent on 01.09.2020 at 11.30 a.m and made his submissions. So far, the first respondent has not passed any final order.

4. In order to ascertain as to whether the first respondent has passed the final order based on the enquiry conducted on 01.09.2020, this Court directed the respondents to file their counter. They filed the counter and they have stated only about the merits of the case and not whispered as to whether the final order has been passed or not.

5. The subject matter is pending from 2019. Though notice was issued and enquiry was also conducted, the respondents have not passed final order so far and they have not produced any document to show that the first respondent has passed the final order. Hence, the Inspector General of Registration/Appointing Authority/Disciplinary Authority as the case may be, is directed to take action against the then The District



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Registrar (Administration), Chennai South Zone, Jones Road, Saidapet, Chennai at the relevant point of time, as to why he has not passed the final order for more than four years and file a compliance report before this Court on or before 13.03.2024.

6. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the first respondent to consider the petitioner representation dated 22.06.2019, after issuing fresh notice and after giving opportunity of hearing to the petitioner as well as private respondents /interested parties/rival claimants/objectors, as the case may be, and conduct fresh enquiry and pass orders on merits and in accordance with law. The abovesaid exercise shall be completed within a period of four weeks from the date of receipt of copy of this order.



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7. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

8. List the matter on 14.03.2024 “for reporting compliance”.

13.02.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The District Registrar (Administration),
Chennai South Zone,
Jones Road, Saidapet,
Chennai – 600 015.

2. The Sub Registrar,
Sub-Registrar Office,
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P.VELMURUGAN, J.

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