



WEB COPY



WA No.216 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE R. MAHADEVAN
and
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

Writ Appeal No.216 of 2024
and
CMP No.1299 of 2024

1. The Inspector General of Registration,
Santhome, Mylapore,
Chennai - 600 028.

2. The Deputy Inspector General of Registration,
Chennai Zone, Chennai - 600 035.

3. The District Registrar (Admin) AIG Cadre),
Chennai South, Chennai - 600 035

.. Appellants

Versus

R. Ranjith

.. Respondent

Writ Appeal filed under Clause 15 of Letters Patent praying to set aside the orders dated 15.06.2023 passed by the learned Judge in W.P. Nos.14121 of 2022.

For Appellants : Mr. Neethi Perumal,
Government Advocate

For Respondent : Mr. Karthik Srinath
for M/s. K.M.Vijayan Associates



WA No.216 of 2024

JUDGMENT

(Judgment of the Court was made by R. MAHADEVAN, J)

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The appellants have come forward with this writ appeal, aggrieved by the order dated 15.06.2023 passed by the learned Judge, allowing the Writ Petition No. 14121 of 2022 filed by the respondent herein.

2. The respondent has filed the aforesaid Writ Petition praying to issue a Writ of Certiorari to call for the records relating to the proceedings dated 27.04.2022 of the second appellant herein and to quash the same.

3. The respondent was appointed as Junior Assistant in the office of the Joint Registrar No.I, North Chennai on 23.10.2014 and was subsequently, transferred to the office of the first appellant on 07.12.2014. On 18.10.2018, the respondent was promoted as Assistant and transferred to the office of the Sub-Registrar, Padappai, Thereafter, he was transferred to the office of the Sub Registrar, Pammal on deputation basis from 19.11.2018 to 24.04.2022. In the meantime, between 18.04.2022 to 20.04.2022, for three days, he was posted as Sub-Registrar in-charge in the office of the Sub-Registrar, Virugambakkam. Thereafter, he was posted to the office of the first respondent on deputation from 25.04.2022. While the respondent worked as Sub-Registrar in-charge in



WA No.216 of 2024

the office of the Sub-Registrar, Virugambakkam, a sale deed was presented for registration by one S.M.H. Sheik Mohammed and two others. The executant of the sale deed, apart from placing reliance on patta and other documents, relied on the order dated 08.12.2021 passed in WP No. 5977 of 2019 by the writ court. The said writ petition was filed by Rukmani and others, in which the Sub-Registrar, Virugambakkam was arrayed as 7th respondent. By order dated 08.12.2021, a learned Judge allowed the writ petition and directed the fourth respondent therein to comply with the direction issued by the Division Bench of this Court in W.A. No. 1538 of 2014 dated 23.04.2015. The respondent, after scrutiny of all the documents, including the order dated 08.12.2021, entertained the sale deed dated 18.04.2022 for registration and assigned as document No. 2970 of 2022 for the same.

4. In connection with the registration of the sale deed dated 18.04.2022 by the respondent, the second appellant called the respondent for an enquiry on 27.04.2022, in which the respondent attended and explained the reasons for registration of the sale deed dated 18.04.2022. However, on the same day namely 27.04.2022, the respondent was placed under suspension under sub-rule (1) of Rule 17 (a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. Challenging the said order of suspension dated 27.04.2022, the



WA No.216 of 2024

respondent has filed the instant writ petition No. 14121 of 2022 before the writ Court.

5. By order dated 15.06.2023, which is impugned herein, the learned Judge, after hearing both sides, allowed the writ petition filed by the respondent, observing that the sale deed dated 18.04.2022 was entertained and registered by the respondent as directed by this Court in the order dated 18.12.2021 passed in WP No. 5977 of 2019. Aggrieved by the same, the appellants are before this Court with the present appeal.

6. On 22.01.2024, when this appeal was taken up for consideration, this court has granted an order of interim stay of operation of the order of the learned Judge in the writ petition.

7. Today, when the matter came up for hearing, the learned Government Advocate appearing for the appellants, on instructions with regard to the disciplinary proceedings, submitted that pursuant to the interim order granted by this court on 22.01.2024, enquiry was conducted and it was now over. The learned Government Advocate further submitted that if this court grants three weeks time, the disciplinary authority will pass final orders based on the



WA No.216 of 2024

enquiry conducted in the disciplinary proceedings initiated against respondent herein.

8. In the light of the aforesaid submissions made on the side of the appellants, this court directs the disciplinary authority to pass final orders in the proceedings initiated against the respondent herein, within a period of three weeks from the date of receipt of a copy of this judgment. However, this court is not inclined to express any opinion on the merits of the order passed by the learned Judge in the writ petition relating to suspension order.

9. This writ appeal stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J] [M.S.Q., J]
04.03.2024

Index : Yes / No
Internet : Yes / No

av/rsh

To

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WA No.216 of 2024

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