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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.25064 of 2024

S.Kannan

... Petitioner

Vs

1.The Deputy Inspector General of Registration,
Office of Deputy Inspector General of Registration,
Madurai.

2.The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District.

3.The Sub Registrar,
Sub Registrar Office,
Manamadurai,
Sivagangai District.

4.Kumaresan,
Joint II Sub Registrar Office,
Sivagangai,
Sivagangai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 and 2 to initiate department disciplinary proceedings as well as stop to release the retirement benefits till the disposal of the criminal case pending in Crime No.211 of 2019 as against the 4th respondent before Manamadurai Police Station, Sivagangai District within time frame that may be stipulate by this Court.



For Petitioner : M/s.P.Ranjith Kumar

For Respondents : Mr.P.Subbaraj
Special Government Pleader
for R1 to R3
Mr.M.S.Jeyakarthik for R4

ORDER

The instant writ petition has been filed seeking a mandamus as against the respondents 1 and 2 to initiate departmental action as against the fourth respondent herein for his involvement in a criminal case in Crime No.211 of 2019 on the file of Manamadurai Police Station, Sivagangai District.

2.A perusal of the representation submitted by the writ petitioner reveals that some private individuals have presented the documents for registration before the fourth respondent with some forged documents. The fourth respondent has proceeded to register those documents. The written instructions received by the learned Special Government Pleader reveals that a show cause notice was issued to the fourth respondent by the respondents 1 and 2 and after going through the explanation submitted by the fourth respondent, they are satisfied with the explanation and they have closed the enquiry.



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3.This Court cannot direct initiation of the departmental enquiry and it is always left discretion of the employer. In the present case, after issuing a show cause notice and being satisfied with the explanation submitted by the fourth respondent, further proceedings have been dropped by the department. In such circumstances, this Court is not in a position to issue a mandamus.

4.With the above said observations, this writ petition stands disposed of.

No costs.

25.10.2024

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

To

1.The Deputy Inspector General of Registration,
Office of Deputy Inspector General of Registration,
Madurai.

2.The District Registrar,
District Registrar Office,
Sivagangai,
Sivagangai District.

3.The Sub Registrar,
Sub Registrar Office,
Manamadurai,
Sivagangai District.



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R.VIJAYAKUMAR, J.

RJR

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