



WP(MD)No.26155 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.26155 of 2022

and

WMP(MD)Nos.20319 to 20321 of 2022

A.Mohan Dass

.. Petitioner

v.

The Deputy Inspector General of Registration,
Tirunelveli,
Tirunelveli District.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned suspension order in Proc.No. 2870/A1/2022 dated 12.05.2022 and consequent charge memo in Memo No.2870/A1/2022 dated 26.08.2022 on the file of the respondent, quash the same and consequently, directing the respondent to reinstate the petitioner.



WP(MD)No.26155 of 2022

For Petitioner : Mr.R.Shankar Ganesh
For Respondent : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This writ petition is filed as against the order of suspension dated 12.05.2022 and the charge memo dated 26.08.2022.

2.The charge levelled as against the petitioner is that without verifying the revenue records and without following the due procedure, he has registered four power of attorney deeds with regard to certain properties, which belong to several independent persons.

3.This writ petition was pending before this Court since 17.11.2022. This Court has not entertained the writ petition so far. When the writ petition came up for admission on 18.11.2022, a Government Advocate took notice. Thereafter, the writ petition was listed only on 12.11.2024 and at the request made on behalf of the petitioner, the case was adjourned to



14.11.2024 (today). Even today, a similar request for adjournment has been sought by the petitioner.

4.It is a settled position that a mere charge sheet or show cause notice does not give rise to any cause of action, because it does not amount to an adverse order, which affects the rights of any party, unless the same has been issued by a person having no jurisdiction to do so (*In Re Union of India v. Kunisetty Satyanarayana* [(2006) 12 SCC 28]).

5.A writ petition lies when some right of a party is infringed. A mere show cause notice or charge sheet does not infringe the right of anyone. It is only when a final order imposing some punishment or otherwise adversely affecting a party is passed, then the said party can be said to have any grievance.

6.In the case on hand, the petitioner has not raised any grounds questioning the jurisdiction of the respondent in issuing the impugned charge memo or attributing any mala fides as against the respondent.



WP(MD)No.26155 of 2022

Considering the same and in view of the ratio laid down by the Hon'ble Supreme Court, this Court is not inclined to entertain this writ petition.

7. Accordingly, this writ petition stands dismissed, with a direction to the respondent to conduct the enquiry on day-today basis and conclude the same, within a period of three months from the date of receipt of a copy of this order. The petitioner is at liberty to raise all the grounds that are raised in this writ petition, before the respondent during the course of enquiry.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
Internet : Yes
gk

14.11.2024



WP(MD)No.26155 of 2022

To

WEB COPY

- 1.The Inspector General of Police,
Armed Police, Chennai.
(I/c. Armed Police, Trichy)
- 2.The Commandant,
TSP XIV Battalion,
Palani, Dindigul District.



WEB COPY



WP(MD)No.26155 of 2022

B.PUGALENDHI, J.

gk

WP(MD)No.26155 of 2022

14.11.2024