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W.P.No.4130 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.4130 of 2025

V.CHOKALINGHAM

... Petitioner

Vs

THE SECRETARY TO GOVERNMENT,
LAW (ADMIN) DEPARTMENT,
FORT ST. GEORGE,
CHENNAI - 600 009.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent's impugned order passed in G.O.(Ms) No. 893, Law (Admin) Department dated 30.12.2024, removing the petitioner's name (V. Chokalingham) from the Register of Notaries under section 10(f) of Notaries Act 1952 and quash the same since it runs contra to the provisions mandated under section 10(b) and (f) of the Notaries Act 1952 and consequently direct the respondent to approve the petitioner's Notary Renewal Application form 20.03.2023 to 20.03.2028.

For Petitioner	: Mr.G.Ravisankar
For Respondent	: Mr.K.Suresh Government Advocate



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ORDER

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The writ petition has been filed challenging the impugned G.O.(Ms).No. 893, Law (Admin) Department dated 30.12.2024,in and by which the application for the renewal of the petitioner's notary public application for the City of Chennai was rejected by the respondent.

2. On perusal of the impugned order, it is noted that in paragraph No. 4, it erroneously states that the petitioner is no longer alive. However, on perusal of paragraph Nos. 2 and 3 of the impugned order reveals that the petitioner had filed the renewal application with a delay of 767 days.

3. Considering the fact that there is no limitation period that is prescribed under the Act and it is only the procedural requirement to file the renewal application in time and considering the facts that are pleaded before this Court with reference to the age and personal situation of the petitioner, I am of the view that an opportunity can be granted to the petitioner in view of the facts and circumstances of the case and the mere delay alone cannot be put against the petitioner.



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4. In view thereof, this writ petition is disposal of on the following

terms:-

(i) The order dated 30.12.2024 made in G.O.(Ms).No. 893, Law (Admin) Department, shall stand quashed.

(ii) The matter is remitted back to the respondent for fresh consideration. The respondent shall treat the delay as condoned, and the petitioner's application for renewal shall be considered on its own merits and orders shall be passed in accordance with law.

(iii) The entire exercise shall be completed within a period of 12 weeks from the date of receipt/production of the website uploaded copy of this order, without waiting for the certified copy of the order. No costs.

07.02.2025

Neutral Citation: Yes/No
nsl

To
THE SECRETARY TO GOVERNMENT,
LAW (ADMIN) DEPARTMENT,
FORT ST. GEORGE, CHENNAI - 600 009.

D.BHARATHA CHAKRAVARTHY, J.



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