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W.P.No.27662 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

W.P.No.27662 of 2024
and
WMP.No.30183 of 2024

R.Senthil Kumar

...Petitioner

Vs.

1. The Secretary to Government of Tamil Nadu,
Commercial Tax and Registration Department,
Fort St. George, Chennai – 600 009.
2. The Inspector General Registration,
100, Santhome High Road, Chennai – 600 028.
3. The Deputy Inspector General of Registration,
Chennai Zone,
Saidapet, Chennai – 600 035.
4. The Enquiry Officer,
District Registrar (Administration),
Chengalpattu.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India,
to issue a Writ of Certiorarified Mandamus, calling for the entire records



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ending with Charge Memo No.3237/A1/2022 dated 19.06.2023 from the Third Respondent and DR (Admin) Chennai (South) Endorsement No.12159/A1/2022 dated 23.06.2023 from the Third respondent under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules and quash the same and direct the respondents 1 and 2 to restore the petitioner as Sub Registrar in the Registration Department under the Second Respondent.

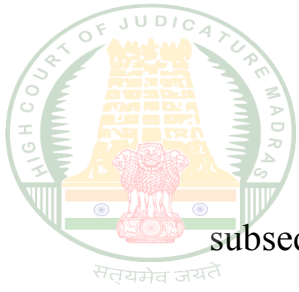
For Petitioner : Mr.T.M.Pappiah

For Respondents : Mr.Abishek Murthy, GA

ORDER

This Writ petition has been filed seeking quashment of the Charge Memo No.3237/A1/2022 dated 19.06.2023 and DR (Admin) Chennai (South) Endorsement No.12159/A1/2022 dated 23.06.2023 on the file of the 3rd respondent and to consequently, direct the 1st and 2nd respondents to reinstate the petitioner as Sub Registrar in the Registration Department under the 2nd respondent.

2. The case of the petitioner is that, he was appointed as Junior Assistant on 10.01.2000 under compassionate grounds and was



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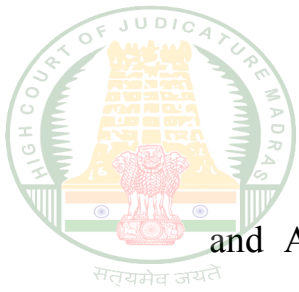
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subsequently promoted as Assistant on 17.06.2008 and was later promoted as Sub Registrar on 17.06.2016 and he was serving as the Sub Registrar at SRO, Pallavaram since 01.03.2021. While so, a Sale Deed was presented by one M/s. Olympia Techpark Pvt. Ltd. and another in favour of one Mrs.Aftab Begum Usman. However, the said documents were returned, as the parent document was not duly registered with the required stamp duty, as per G.O.Ms.No.29 Commercial Taxes and Registration (J1) Department dated 01.03.2019 and G.O.Ms.No.47 Commercial Taxes and Registration (J1) Department dated 19.02.2020. Aggrieved by the same, the vendors approached this Court by way of filing a Writ petition and had obtained an interim order on 12.01.2022 in WMP.No.23769 of 2021 in W.P.No.22562 of 2021, wherein this Court had directed the Registering Authority to register the deed of conveyance in respect of the subject property, after receiving necessary stamp duty and registration charges and also directed the vendors to file an undertaking affidavit before the Registering Authority to the effect that in the event of their failure in the said Writ Petition, they would pay the necessary stamp duty and the registration charges towards the merger document, as per the aforesaid Government Orders. Pursuant to the



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said order of this Court, the parties presented the Sale Deed along with the copy of the order of this Court and also filed an Affidavit of Undertaking on 03.03.2022 for registrations. As the parties were threatening to file Contempt Petition, the petitioner was compelled to register and release the Sale Deed on 23.05.2022 as Document No.5848 of 2022, after obtaining the Affidavit of Undertaking as directed by this Court. There was also a Memorandum of Deposit of Title Deed, which was registered in respect of the said Sale Deed. In such circumstances, as directed by the Inspector General of Registration, the petitioner preferred an appeal in W.A.No.687 of 2022 against the said interim order of this Court dated 12.01.2022. While so, the petitioner received the suspension order bearing No.3237/A1/2022 dated 20.06.2022 from the Deputy Inspector General of Registration, Chennai. Upon receipt of the same, the petitioner sent a detailed reply dated 04.07.2022 to the 2nd respondent denying all the charges. While so, the petitioner was shocked to receive the present impugned Charge Memo bearing No.3237/A1/2022 dated 19.06.2023 and DR (Admin) Chennai (South) Endorsement No.12159/A1/2022 Dated 23.06.2023 from the 3rd respondent under Rule 17(b) of the Tamil Nadu Civil Services (Discipline



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and Appeal) Rules, charging the petitioner with dereliction of duty by

registering the said Sale deed and Memorandum of Deposit of title deeds.

Challenging the same, the petitioner has come up with this Writ Petition.

3. Learned counsel for the petitioner submitted that, the petitioner had kept the said Sale deed as pending in P58 of 2022 and filed an appeal before this Court in W.A.No.687 of 2022 against the said interim order dated 12.01.2022. However, only in order to avoid committing contempt of Court, the petitioner had registered the documents viz., Sale deed and Memorandum of Deposit of title deed, which is in compliance of the interim order of this Court and there was no lapse on the part of the petitioner in following up the case. Learned counsel further submitted that, upon receipt of the impugned charge memo, the petitioner submitted his defence statement to the Enquiry officer on 29.01.2024 and he also submitted a letter to the 2nd respondent seeking reinstatement, however, till date, no orders have been passed on the same. Accordingly, he prayed for appropriate orders.



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4. Per contra, the learned Government Advocate appearing on behalf of the respondents submitted that, the petitioner was well aware of the fact that appeal has been filed before this Court, against the interim order of this Court dated 12.01.2022 made in WMP.No.23769 of 2021 in W.P.No.22562 of 2021. However, without considering the same, the petitioner had registered the documents. Learned counsel further submitted that, the present impugned order is only a charge memo and the respondents will complete the enquiry within the time stipulated by this Court. Accordingly, he prayed for dismissal of this Writ petition.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Admittedly, the order under challenge is only a charge memo issued by the 3rd respondent and it is a well settled principle of law that a writ petition challenging a charge memo, being only in the form of a show cause notice, is ordinarily not maintainable, unless it is shown that the charge memo has been issued sans jurisdiction or is vitiated by *mala fides* or



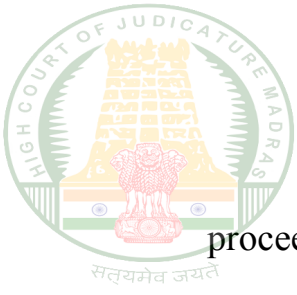
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bias. If bias is alleged on the part of the respondents, such a ground must have been specifically pleaded and supported by material particulars in the affidavit and vague or bald/general allegations made in air cannot be entertained. The Apex Court has held in a catena of judgments that unless bias or *mala fides* is clearly averred and substantiated by materials, a charge memo cannot be quashed at the threshold.

7. In the case of hand, though the learned counsel for the petitioner made various allegations at the time of arguments, however, no grounds have been raised in the affidavit filed in support of this Writ petition, which is supported by material particulars, warranting quashment of the impugned charge memo dated 19.06.2023 and DR (Admin) Chennai (South) Endorsement No.12159/A1/2022 dated 23.06.2023 issued by the 3rd respondent.

8. In view of the above, this Court is not inclined to interfere with the order impugned and accordingly, this Writ petition stands dismissed. However, the 2nd and 3rd respondents are directed to expedite the enquiry



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proceedings in respect of the impugned charge memo and complete the enquiry within a period of two (2) months from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and aggrieved persons, if any. No costs. Consequently, the connected Miscellaneous petition is closed.

23.09.2025

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

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Commercial Tax and Registration Department,
Fort St. George, Chennai – 600 009.
2. The Inspector General Registration,
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