

**S.R. Mathankar Vs. the State of Madhya Pradesh Judgement Given By:
Hon'ble Shri Justice Keshav Kumar Trivedi**

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Court : Madhya Pradesh

Decided On : Jan-15-2014

Appellant : S.R. Mathankar

**Respondent : The State of Madhya Pradesh Judgement Given By: Hon'ble Shri
Justice Keshav Kumar Trivedi**

Advocate for Pet/Ap. : Shri. Wakeel Khan

Judgement :

Writ Petition No.22052/2013 15/01/2014 Shri Wakeel Khan, learned counsel for the petitioners. The petitioners are aggrieved by the order of posting issued by the Additional Collector on the directions of the Collector, stating that the employees working in the Registration Office are not to be disturbed or posted against the voice of the directions issued by the Inspector General of Registration and Superintendent of Stamp, M.P. It is contended that vide circular dated 30th September, 1985 such type of attachment is prohibited with a specific condition that such orders are not required to be issued without the prior approval of the issuing authority i.e. the Inspector General of Registration and Superintendent of Stamp, M.P. It is contended that the order has been issued only on the recommendations of the District Registrar, Betul and, therefore, the order is bad in law.

Though a notice is given, but since no action is taken by the authorities, this writ petition is required to be filed.

From the order impugned, it is clear that on the recommendations made by the District Registrar, Betul since it was found that surplus staff was posted in the said office, some of the persons like petitioners are shifted from the office of the Sub Registrars to the other departments of the Government of M.P., in the very same place.

Only the office posting is changed.

This being so, it cannot be said that the order is passed without any justification.

However, these aspects are required to be examined by the Inspector General of Registration and Superintendent of Stamp, M.P. In view of the aforesaid, if a representation is made by the petitioners before the respondent No.2, detailing their grievance with respect to the order of posting, let the representation be decided expeditiously preferably within a period of one month from the date of receipt of the representation.

The speaking order passed on the representation be communicated to the petitioners. The writ petition stands disposed of.

Certified copy as per rules.

(K.K.Trivedi) Judge Shukla-

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