

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.22409 of 2015

A.Ambrose

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Petitioner

-Vs-

1.The Inspector General of Registration/
Chief Controlling in Revenue Authority,
Santhome, Chennai-600 004.

2.The Special Deputy Tahsildar (Stamps),
Tanjore District.

3.The Sub-Registrar No.1,
Pattukottai.
Thanjavur District.

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Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to dispose of the appeal No.56763/N5/2014 dated 15.12.2014.

For Petitioner : Mr.V.Bharathidasan

For Respondents: Mr.S.Pattabiraman,
Government Advocate

O R D E R
सत्यमेव जयते

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner claims to have purchased an agricultural land in Survey No.151/2A in Pattukottai Village and Taluk to an extent of 2.46 acres, through registered sale deed dated 08.09.2011 and presented the same for registration. The third respondent expressed his opinion that the market value has not been truly set forth in the document and referred the matter to the second respondent under Section 47(1) of the Indian Stamps Act for determination of the market value and proper stamp duty payable and after receipt of the reference, the second respondent issued a show cause notice dated 17.03.2014 for which the petitioner submitted his response and also appeared for enquiry and raised his objection stating that the land

is only an agricultural land. However, the second respondent without properly considering the objections raised by the petitioner, has arrived at a conclusion that the total value of the property is Rs.4,92,00,000/- and fixed the stamp duty of Rs.39,36,000/- and challenging the legality of the same, the petitioner preferred an appeal before the first respondent and since it has not been disposed of, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice on behalf of the respondents.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the appeal preferred by the petitioner in Appeal No.56763/N5/2014 dated 15.12.2014 and pass orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

jvm

To

1.The Inspector General of Registration/
Chief Controlling in Revenue Authority,
Santhome, Chennai-600 004.

2.The Special Deputy Tahsildar (Stamps),
Tanjore District.

3.The Sub-Registrar No.1,
Pattukottai.
Thanjavur District.

+1 cc to M/s.V.Bharathidasan, Advocate, sr.38009/15
+1 cc to Government Pleader, Sr.38036.

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