

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2015

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24002 of 2015

Nabanita Choudhury

...Petitioner

Vs

1 The Inspector General of Registration
No.100 Santhome High Road
Foreshore Estate
Chennai-600 028.

2 The Sub-Registrar
Pallavaram 2nd Main Road New Colony
Chromepet
Chennai-600 044.

...Respondents

Writ Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to return the excess amount of Rs.9,000/- collected from the petitioner together with interest at 18% p.a. from 01.09.2014 till date of payment in full

For petitioners : Mr. V. Bhiman
for M/s. Sampath Kumar and Asso.

For respondent : Mr. A. Kumar, Spl.G.P.

ORDER

By consent, the main writ petition is taken up for final hearing.

2. The petitioner would state that she has executed a registered General Power of Attorney on 01-09-2014 in favour of her mother viz., Mallika Debgupta vide registered document No.7546 of 2014 on the file of the office of the Sub-Registrar, Pallavaram. The petitioner submits that at the time of registering the General Power of Attorney, the then Sub-Registrar refused to register the same, unless the petitioner pays a sum of Rs.10,000/- as registration

charges, which was only Rs.1000/- as per the guidelines of the Tamil Nadu Registration Act, and left with no option the petitioner paid the sum and got the document registered. Thereafter, she submitted a representation dated 04-03-2015 praying for refund of the excess amount of Rs.10,000/- collected towards registration charges and the first respondent sent a communication, dated 15-04-2015 addressed to the District Registrar (Administration) to take necessary action on the representation and in turn, the said official has addressed a letter dated 07-06-2015 to the second respondent, marking a copy to the petitioner. Since till date there is no response, the petitioner has come forward to file this writ petition.

2. Though the petitioner prayed for a larger relief, this Court without going into the claim projected by the petitioner, directs the second respondent to act on the letter, bearing No.13229/C1/2015 dated 15-04-2015, of the first respondent in accordance with law and pass orders thereon 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.

3. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

glp

To

1 The Inspector General of Registration
No.100 Santhome High Road
Foreshore Estate Chennai-600 028.

2 The Sub-Registrar
Pallavaram 2nd Main Road New Colony
Chromepet Chennai-600 044

1CC to Govt. Pleader SR 40927

W.P.No.24002 of 2015

RV [CO]
PSI 07.08.2015