

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.30579 of 2013

R.Bhuvaneswari

... Petitioner

Vs.

1. The District Revenue Officer (Stamps),  
District Collector Office, (5th Floor),  
No.32, Rajaji Salai,  
Chennai - 1,

2. The Sub Registrar,  
Pammal,  
Chennai - 75.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondents to release the sale deed dated 4.10.2013 bearing document No.6711/2013 on the file of the S.R.O., Pammal, forthwith to the petitioner.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.S.Diwakar,AGP

ORDER

It is the case of the petitioner that the petitioner had purchased a property in old S.No.82/1, new S.No.82/2D - 0.13 1/2 cents (5886 sq.ft) situate at Koul Bazaar village, Alanthur Taluk under a registered sale deed dated 4.10.2013 bearing document No.6711 of 2013 on the file of 2nd respondent. However, the same has not been released. Hence, the writ petition is filed before this Court.

2. A perusal of the counter affidavit filed by the 1st respondent would show that proceedings under Section 47-A of the Indian Stamp act is pending consideration with the 1st respondent in respect of the petitioner's sale deed. The said proceedings is only meant for adjudicating upon the market value of the property for the purpose of payment of stamp duty. In other words, the petitioner is entitled for release of the document, as held by this Court in number of other occasions.

3. Accordingly, a direction is hereby issued to the respondents to release the document of the petitioner dated 4.10.2013 bearing document No.6711 of 2013, by making an endorsement that it is being released subject to the proceedings under Section 47-A of the Indian Stamp Act. The respondents can also impose such other conditions that are required for release of the said document. The release of the said document shall be made within a period of four weeks from the date of receipt of copy of this order. The Writ Petition is ordered accordingly. No costs.

Sd/-  
Asst.Registrar

/true copy/

Sub Asst. Registrar

usk  
To

1. The District Revenue Officer (Stamps),  
District Collector Office, (5th Floor),  
No.32, Rajaji Salai,  
Chennai - 1,
2. The Sub Registrar,  
Pammal,  
Chennai - 75.

+1 cc to Mr.N.Suresh, Advocate, sr.49542  
+1 cc to The Government Pleader, sr.49855

W.P.No.30579 of 2013

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