

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.32802 of 2015

Susil Adam Seelan

.. Petitioner

Vs.

- 1 District Registrar(Stamps)
District Collector Office 5th Floor
Ma.Singavelar Maaligai No.32 Rajaji Salai
Chennai-600 001.
- 2 The Sub Registrar
Sub Registrar's Office Guduvancherry. ... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to release sale deed document No.3701/2011 registered on the file of 2nd respondent on such terms and conditions as may be imposed.

For Petitioner	..	Mr.G.L.Ramshankar
For Respondents	..	Mr.S.Diwakar
		Addl.Govt. Pleader

ORDER

Sale deed of the petitioner was presented for registration on 06.04.2011 which was registered as Document No.3701/2011. However, the said document was kept pending under Section 47 A of the Indian Stamp Act (hereinafter called the Act) as the property was under valued. Though the petitioner has participated in proceedings under Section 47 A of the Act, no further orders have been passed. Seeking release of the sale deed, the present writ petition has been filed.

2. As held by catena of Judgements of this Court, respondents cannot withhold the document citing the pendency of the proceedings under Section 47 A of the Act. Thus, the respondent No.2 is directed to release the document of the petitioner subject to the usual condition that can be imposed including an endorsement that the document is released subject to the proceedings under Section 47 A of the Act. Respondents

shall release the document within a period of four weeks from the date of receipt of a copy of this order. The proceedings pending under Section 47 A of the Act is directed to be completed within a period of three months, thereafter.

3. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

kua

-s/d-

Assistant Registrar(CCC)

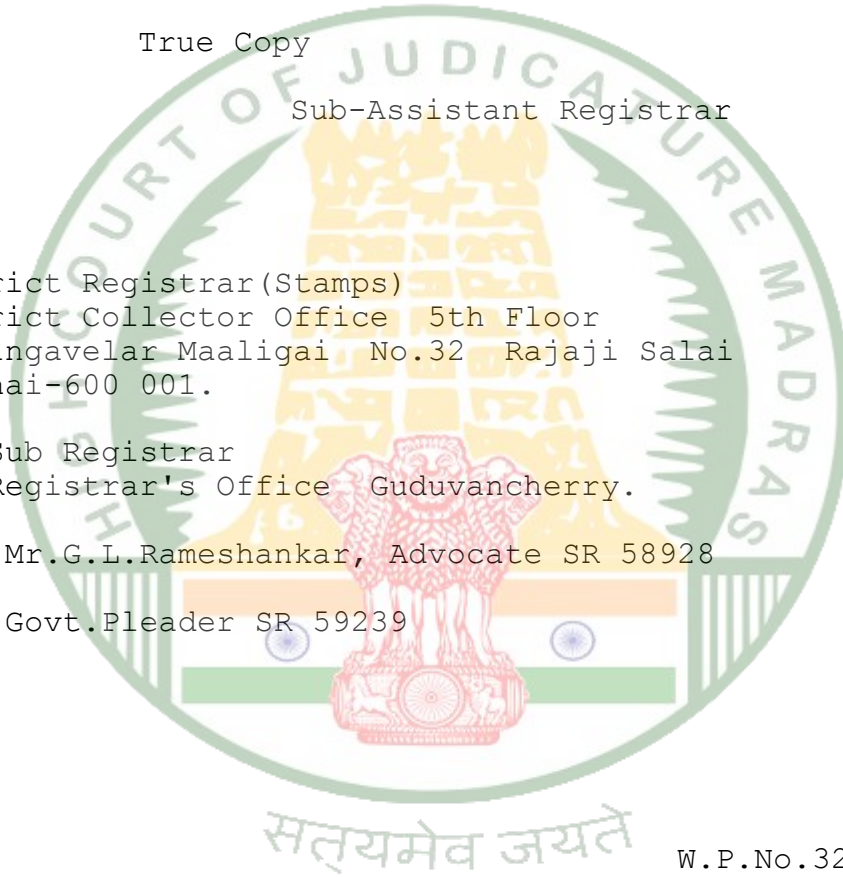
True Copy

Sub-Assistant Registrar

To

- 1 District Registrar(Stamps)
District Collector Office 5th Floor
Ma.Singavelar Maaligai No.32 Rajaji Salai
Chennai-600 001.
 - 2 The Sub Registrar
Sub Registrar's Office Guduvancherry.
- + 1 cc to Mr.G.L.Rameshankar, Advocate SR 58928
- + 1 cc to Govt.Pleader SR 59239

kgk(co)
prk16/11



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