

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2015

CORAM

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

W.P.No.35102 of 2013
and
M.P.Nos.1 and 2 of 2013

Peppita Cornelia Jerome

...Petitioner

-Vs-

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

2. The Sub Registrar,
Mylapore, Chennai - 4.

...Respondent

PRAYER : This Writ Petition has been filed under 226 of the Constitution of India to issue a writ of Certiorari to call for records of the first respondent in his proceedings in C.Pa.No.5620/12/A1, dated 03.06.2013, and also the provisional order, in Na.Ka.C.Pa.47/12/A1, dated 03.06.2013, on the reverse of the Form II notice and to quash the same.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.R.A.S.Senthilvel
Additional Government Pleader

सत्यमेव जयते
O R D E R

This Writ Petition is filed seeking to quash the orders, dated 03.06.2013, passed by the first respondent/District Revenue Officer (Stamps), whereby, the petitioner has been issued with Form II notice and provisional order.

2. The grievance of the petitioner is that, Form II notice has been issued to him, without following the procedures contemplated under the Tamil Nadu Stamp Rules, 1968.

3. The learned Additional Government Pleader for respondents on instructions, submitted that already proceedings are over and final orders have already been passed on 01.08.2013. Refuting the said submission, the learned counsel appearing for the petitioner has submitted that the said final order has not at all served on the petitioner.

4. This Court is not inclined to go into the veracity of the said submissions, inasmuch as, a copy of the final order, stated to have been passed on 01.08.2013, is produced by the learned Additional Government Pleader before this Court today for reference. In view of the same, the petitioner is given further period of four weeks' time to prefer Statutory Appeal against the said final order, by utilizing its photocopy, as it is his specific case that the original order has not been served on him. If the petitioner files any Statutory Appeal, within the stipulated time, as mentioned above, the Inspector General of Registration, shall number the Appeal and decide the same on merits and in accordance with law, without rejecting it on the ground of limitation. It is made clear that, all the issues are left open to be decided by the aforementioned Authority.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected M.Ps. are closed.

sd/-
Assistant Registrar (CS-III)

/ True Copy/

Sub-Assistant Registrar

1. The District Revenue Officer (Stamps)
District Collector Office, (5th Floor)
No.32, Rajaji Salai, Chennai - 1.
2. The Sub Registrar,
Mylapore, Chennai - 600 004.

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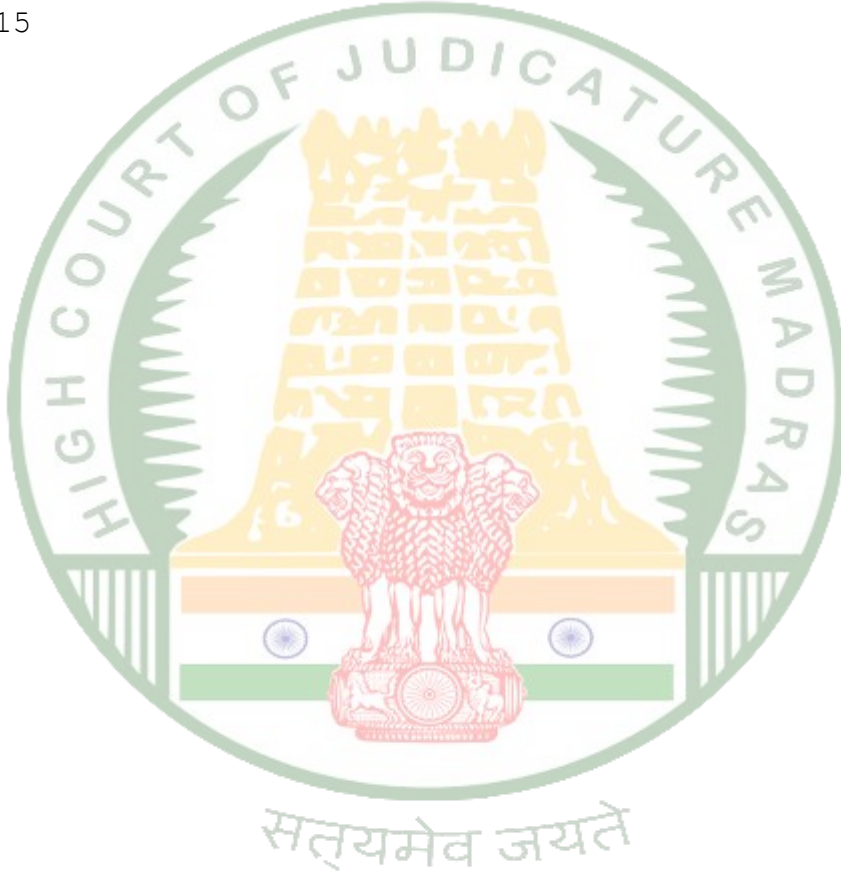
3. The Inspector General of Registration,
Santhome, Chennai

+1 C.C. to MR.N.Suresh, Advocate in Sr.No.55270

+1 C.C. to Government Pleader in Sr.No.55110

W.P.No.35102 of 2013

TEJ(CO)
sd : 13/10/2015



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