



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2015

Coram

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P. (MD) .No.14998 of 2015

and

M.P. (MD) No.1 of 2015

Sengol Raj

:Petitioner

vs.

1.The Deputy Collector,
Collectorate,
Trichy.

2.The Tahsildar,
Manaparai Taluk,
Trichy District.

3.The Sub-Registrar,
Manaparai,
Trichy District.

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation, dated 23.12.2012 and pass orders in T.P.No.941/2003 in a time bound manner.

For Petitioner

:Mr.K.Prabhakar

For Respondents

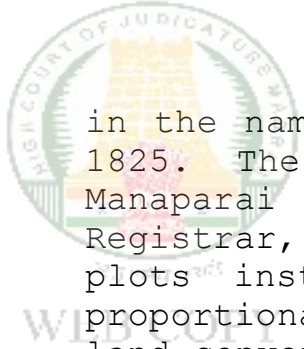
:Mr.M.Rajarajan

Govt.Advocate

ORDER

The Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation, dated 23.12.2012 and pass orders in T.P.No.941/2003 in a time bound manner.

2. The case of the petitioner is that he had purchased agricultural punjai lands in S.Nos.243/31, 33, 36, 37, 42 and 44 and 244/7, 8, 9, 11, 12, 13, 14, 15 & 19, for a sale consideration of Rs.21,373/- on 02.01.2003. The lands were comprised in patta



in the name of petitioner's vendors in Patta Nos.510, 511, 512 & 1825. The sale deed was executed before the Sub Registrar Office, Manaparai and was numbered as Doc.No.16/2003. While so, the Sub Registrar, Manaparai valued the petitioner's land, as vacant house plots instead of agricultural punjai lands and attached the proportionate square feet value and stated that the value of the land conveyed was Rs.7,51,592/- and that the petitioner had to pay stamp due on the same being a sum of Rs.90,192/-. The 1st respondent has taken *suo motu* cognizance of the petitioner's sale deed in doc.No.16/2003 and initiated proceedings in T.P.No.941/2003. The petitioner had been called for enquiry and he attended the enquiry and also submitted a detailed written reply to the enquiry, dated 23.12.2012 along with necessary documents. Subsequently, the first respondent, by letter dated 08.02.2013 had called the petitioner for enquiry on 02.04.2013 and again called for an enquiry on 18.06.2013, by letter dated 07.06.2013. Though the petitioner attended the enquiry and submitted the necessary documents, no final order has been passed by the first respondent, so far. Hence, the present writ petition.

3. I have heard the submissions made on either side and perused the materials available on record.

4. Considering the above facts and circumstances of the case, the Writ Petition is allowed and the 1st respondent is directed to consider the petitioner's representation, dated 23.12.2012 and pass orders in T.P.No.941/2003, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registr

MPK

To

1.The Deputy Collector, Collectorate, Trichy.

2.The Tahsildar, Manaparai Taluk, Trichy District.

3.The Sub-Registrar, Manaparai, Trichy District.

+one cc to The Special Government Pleader in SR.No.48539

W.P. (MD) .No.14998 of 2015

20.08.2015

cs1/SKS-RR/SAR(PA)/04.09.2015