



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.08.2015

Coram

THE HONOURABLE MR.JUSTICE R.SUBBIAH

WEB COPY

W.P. (MD) .No.14747 of 2015

and

M.P (MD) No.1 of 2015

C.Sankar

:Petitioner

vs.

1.The Inspector General of Registration,
No.120, Santhome High Road, Chennai - 28.

2.The Special Deputy Collector (Stamps),
Tirunelveli, Tirunelveli District.

3.The Sub-Registrar,
Moolaikaraipatti Sub-Registrar Office,
Tirunelveli District.

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Certiorarified Mandamus to call for the records of the first respondent in his proceedings in Mu.Mu.No.3583/N4/2015, dated 30.03.2015 and quash the same as illegal, arbitrary, violation of principles of law and further direct the first respondent to number the appeal filed by the petitioner under Section 47 A(5) of the Indian Stamp Act, 1899 and decide the same on merits in accordance with law.

For Petitioner

:Mr.G.Marimuthu

For Respondents

:Mr.K.Mahesh Raja,

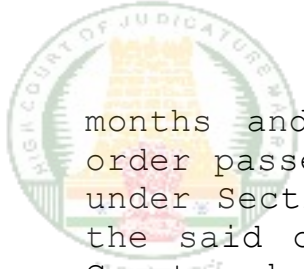
Government Advocate

O R D E R

The Writ Petition has been filed, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the first respondent in his proceedings in Mu.Mu.No.3583/N4/2015, dated 30.03.2015 and quash the same as illegal, arbitrary, violation of principles of law and further direct the first respondent to number the appeal filed by the petitioner under Section 47 A(5) of the Indian Stamp Act, 1899 and decide the same on merits and in accordance with law.

2. Heard both sides and perused the materials available on record.

<https://hcservices.courts.gov.in/hcservices> 3. The present Writ Petition has been filed challenging the order passed by the first respondent dismissing the application filed by the petitioner to condone the delay of 1 year, seven



months and 14 days in preferring the appeal filed against the order passed by the second respondent. The said order was passed under Section 47-A (5) of the Indian Stamp Act, 1899. As against the said order, the petitioner can prefer an appeal before this Court under Section 47-A(10) of the Indian Stamp Act, 1899.

4. Therefore, I am of the considered opinion that the Writ Petition is not maintainable and accordingly, the Writ Petition is dismissed. No Costs. However, the petitioner is at liberty to file an appeal before this Court along with an application to condone the delay in preferring the appeal. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

Note:Issue Order Copy on 21.08.2015

Note:The Office is directed to return the original impugned order to the petitioner.

To

1.The Inspector General of Registration,
No.120, Santhome High Road, Chennai - 28.

2.The Special Deputy Collector(Stamps),
Tirunelveli, Tirunelveli District.

3.The Sub-Registrar,
Moolaikaraipatti Sub-Registrar Office,
Tirunelveli District.

+1 CC TO M/S.SPL.GOV.T.PLEADER, SR NO:47785

PM

JAM/PRV/SARII/25.8.15/2P-5C

W.P.(MD).No.14747 of 2015
17.08.2015