



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**
REV.APLC. (MD) .Nos.40 and 41 of 2015

WEB COPY

1.The Chief Controlling Revenue Authority,
Head of Department of Registration,
Santhome, Chennai-28.

2.The Special Deputy Collector (Stamps),
Collector's Office,
Thanjavur.

3.The Joint Sub-Registrar-I,
Office of Sub-Registrar,
Thanjavur Town.

... Petitioners /
Respondent in both petitions
vs.

B.J.Radhakrishnan

... Respondent /
Appellant in both petitions

COMMON PRAYER : Review Applications are filed under Order 47 Rule 1 of C.P.C read with 114 of C.P.C, to review the order dated 19.04.2013 made in C.M.A.(MD).Nos.180 & 181 of 2013.

Prayer in CMA(MD) . 180 and 181 of 2013 :

Civil Miscellaneous Appeal filed against the orders passed by the orders passed by the Chief Controlling Revenue Authority, Head of Registration Department in his proceedings Nos.6231/No.5/06 dated 19/11/2008 and Nos.6232/No.5/06 dated 21/11/2008 with respect of Registered Document No.264 of 1999 and 1967 of 1999 Sale Deed, respectively, and to direct the third Respondent to handover the Registered Document No.264 of 1999 and 1967 of 1999 to the Appellants.

In both petitions

For Petitioners :M/s.S.Jeyapriya
Government Advocate

For Respondent : Mr.M.S.Suresh Kumar



C O M M O N O R D E R

Both the review applications are filed by the petitioners to review the orders passed in C.M.A.(MD).Nos.180 and 181 of 2013 on the ground that the learned Judge has failed to consider the guideline value prepared by the Authorities periodically and there is no provision in the Stamp Act to return the documents under Section 47A of Stamp Act.

2. However, the petitioners have to raise all these grounds in the appeal, instead of review. Further, the learned counsel appearing for the respondent refers to a judgment reported in **2014 (2) CWC 162 in the case of THAJUNISSA AND ANOTHER vs. THE SPECIAL DEPUTY COLLECTOR (STAMPS), CHENNAI COLLECTORATE**, in which, it has been held that within two years from the date of registering the Sale Deeds, it has to be returned to the purchaser.

3. In the light of the above facts, this Court does not find any error in the order passed by this Court in C.M.A.(MD).Nos.180 and 181 of 2013. However, the petitioners are directed to return the Sale deeds to the respondent within one month from the date of receipt of a copy of this order.

4. Accordingly, the Review Applications are dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Chief Controlling Revenue Authority,
Head of Department of Registration,
Santhome, Chennai-28.
- 2.The Special Deputy Collector (Stamps),
Collector's Office,
Thanjavur.



3.The Joint Sub-Registrar-I,
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Thanjavur Town.

+1CC to MR.M.S.Suresh Kumar, Advocate (SR.No.38634)

+1CC to Spl.GP (SR.No.38865)

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MGJ(21.12.2021) 3P 6C