

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.14843 of 2016

M/s.Alliance Housing Chennai,
rep. by its General Manager.

... Petitioner

vs.

1.The Inspector General of
Registration,
Office of the Inspector General
of Registration,
No.100, Santhome High Road,
Chennai-28.

2.The District Registrar,
Chenglepet,
Kancheepuram District.

3.The Sub Registrar,
Sriperumbudur,
Kancheepuram District.

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the third respondent to dispose of the representation dated 1.4.2016 requesting the release of the sale deed registered on the file of the third respondent with regard to the lay out known as 'Alliance Villa Belvedere' project in Vallam Village, Sriperumbudur Taluk, Kancheepuram District and kept pending under Section 47A of the Stamp Act.

For Petitioner : Mr.S.Sethuraman

For Respondents : Mr.V.Jayaprakash Narayanan,
Spl. Govt. Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the third respondent to dispose of his representation dated 1.4.2016 requesting the release of the sale deed registered on the file of the third respondent with regard to the lay out known as 'Alliance Villa Belvedere' project in Vallam Village, Sriperumbudur Taluk, Kancheepuram District and kept pending under Section 47A of the Stamp Act.

3. It is the case of the petitioner firm that they had promoted and formed a lay out known as Alliance Villa Belvedere project in Vallam Village, Sriperumbudur, Kancheepuram District, comprising 388 plots in various survey numbers. Out of the said 388 plots, 118 plots have been registered in the office of the third respondent. At the time of registration, the value of the plots were not determined. Therefore, the stamp duty and registration charges were paid on the actual sale value i.e., the consideration received from the purchasers. Since the third respondent refused to register the documents, the petitioner firm filed a writ petition before this Court in W.P.No.40991 of 2015 seeking a direction to the third respondent to register the documents. Thereafter, the third respondent started registering the documents. In the meantime, the second respondent fixed the value of the plots at Rs.1,950/- per sq.ft. without any basis. Aggrieved over the same, the petitioner preferred an appeal before the first respondent on 23.2.2015. However, the first respondent was not taking any steps to dispose of the said appeal. Therefore, the petitioner filed a writ petition before this Court in W.P.No.13261 of 2016 seeking early disposal of the said appeal. In the said writ petition, this Court, by an order dated 4.4.2016, directed the first respondent to dispose of the said appeal within eight weeks. In the meanwhile, the petitioner submitted a representation dated 1.4.2016 to the third respondent to release the sale deeds, which were registered and kept pending under Section 47-A of the Stamp Act. Since the same was not considered so far, the petitioner has come up with the present writ petition seeking a direction to the third respondent to dispose of the representation dated 1.4.2016 requesting the release of the sale deed registered on the file of the third respondent with regard to the lay out known as 'Alliance Villa Belvedere' project in Vallam Village, Sriperumbudur Taluk, Kancheepuram District and kept pending under Section 47-A of the Stamp Act.

4. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the third respondent to consider the representation of the petitioner dated 1.4.2016 and pass appropriate orders / take appropriate action, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

sbi

To

1.The Inspector General of
Registration,
Office of the Inspector General
of Registration,
No.100, Santhome High Road,
Chennai-28.

2.The District Registrar,
Chenglepet,
Kancheepuram District.

3.The Sub Registrar,
Sriperumbudur,
Kancheepuram District.

1 cc to Mr.S. Sethuraman, Advocate, Sr. 25149
1 cc to Government Pleader, Sr. 25378

W.P.No.14843 of 2016

RSY (CO)
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