

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2016
CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29954 of 2016

A.Kodeeswaran

... Petitioner

Vs.

1 The Inspector General of Registration,
Santhome High Road,
Chennai - 28.

2 The Sub Registrar,
Periamet,
Chennai - 3

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to refund the excess deficit registration fee of Rs.37,100/- and the excess deficit stamp duty of Rs.2,60,500/- collected from the petitioner in respect of the document No.1541/2016 dated 24.06.2016 registered in the office of the 2nd respondent in accordance with the provisions of Indian Stamp Act.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.R.A.S.Senthilvel

Additional Government Pleader

O R D E R

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

2.The petitioner and his son had purchased property in old Door No.25, new Door No.61, Thiruvengada Mudali Street, Perimet, Chennai 600 003 comprised in S.Nos.93 and 94, R.S.No.563, Block No.13 of Vepery division, Chennai Fort Tondaiyarpur Taluk admeasuring to an extent of 1 ground and 600 sq.ft and presented a sale deed for registration and according to the petitioner, based on inspection, the value of the property was fixed as Rs.1,17,44,530/- which is not in accordance with the relevant norms and regulations and the petitioner was called upon to make payment of the deficit stamp duty and deficit registration fee and also paid the same, under protest and got the sale deed registered. The petitioner thereafter, submitted representation

for refund of the excess stamp duty and registration fee collected and despite receipt of the same, no orders have been passed and hence, came forward to file this writ petition.

3.Heard the submissions of Mr.N.Suresh, learned counsel appearing for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's representation/ application dated 01.08.2016, in accordance with law and pass orders, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1 The Inspector General of Registration,
Santhome High Road,
Chennai - 28.
- 2 The Sub Registrar,
Periamet,
Chennai - 3

+1 cc to Mr.N.Suresh Advocate sr 48766
+1 cc to M/s.Government pleader vide sr 49161

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aa19/09/2016