

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.30954 of 2016
and
W.M.P.No.26816 of 2016

1. G.Jawahar
2. G.Aswini

... Petitioners

Versus

1. The Inspector General of Registration,
Office of the Registration,
No.100, Santhome High Road,
Chennai - 600 028.
2. The District Revenue Officer,
Office of the District Revenue office,
M.Singara Velar Maligai (Stamps),
23, Rajaji Salai,
Chennai - 600 001.
3. The Sub Registrar,
Adyar,
Chennai - 600 020.
4. The Account General (Audit),
Anna Salai, Teynampet,
Chennai - 600 018.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of certiorari, to call for the entire records relating to impugned order in Ka.No.3674/U1/08-1 dated 13.04.2014 passed by the 1st respondent and quash the same.

For Petitioner : Mr.T.Karunakaran
For Respondents: Mr.A.Kumar,
Special Govt. Pleader

ORDER

The present writ petition has been filed by the petitioner, challenging the order of the first respondent dated 13.04.2014, in and by which, the petitioner was directed to pay a sum of

Rs.1,74,314/- towards deficit stamp duty and deficit registration fees, within 60 days from the date of receipt of the order, failing which, interest at the rate of 1% per day will be charged.

2. Today, when the matter is taken up for consideration, the learned Special Govt. Pleader submitted that the writ petition is not maintainable as there is an alternative remedy available for the petitioner to file a Civil Miscellaneous Appeal under Section 47A(10) of the Indian Stamp Act, against the order of the first respondent.

3. In view of the submission of the learned Special Government Pleader, the present writ petition is disposed of with liberty to the petitioner to file a Civil Miscellaneous Appeal under Section 47A(10) of the Indian Stamp Act, against the order of the first respondent, before the authority concerned, within a period of 15 days from the date of receipt of a copy of this order. On such appeal being filed, the authority concerned shall consider the same and pass orders in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

4. The Registry is directed to return the original papers to the petitioner.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
Office of the Registration,
No.100, Santhome High Road,
Chennai - 600 028.
2. The District Revenue Officer,
Office of the District Revenue office,
M.Singara Velar Maligai (Stamps),
23, Rajaji Salai,
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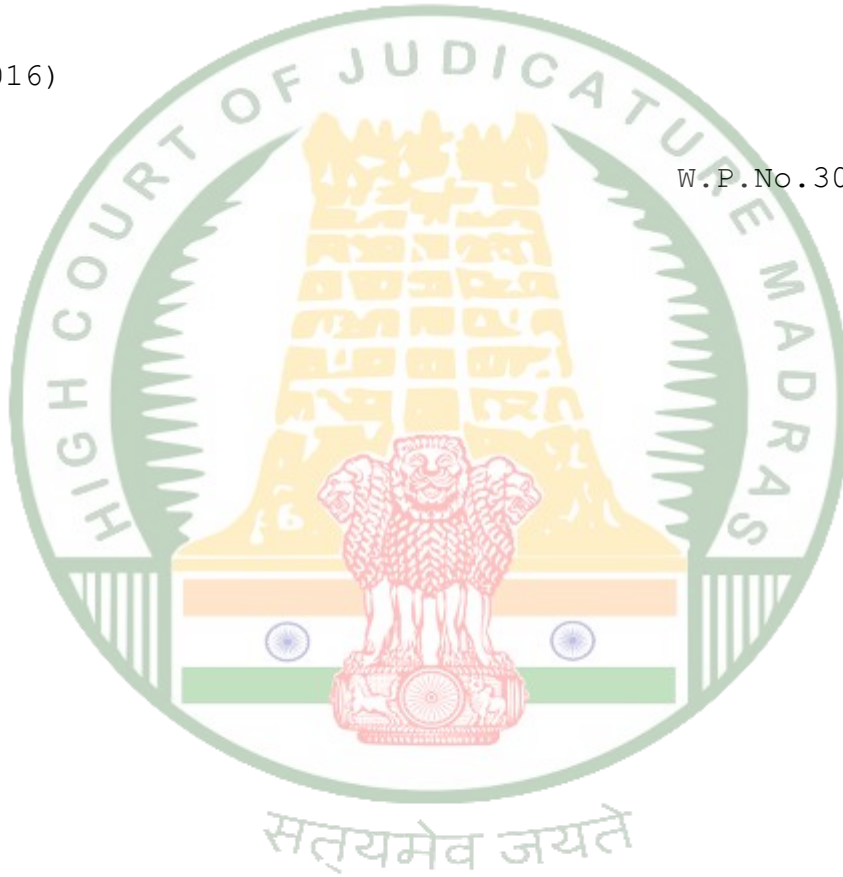
3. The Sub Registrar,
Adyar,
Chennai - 600 020.

4. The Account General (Audit),
Anna Salai, Teynampet,
Chennai - 600 018.

+2ccs to M/s. Karunakaran, Advocate, S.R.No.50293
+1cc to the Government Pleader, S.R.No.50547

MP (CO)
EU (2/11/2016)

W.P.No.30954 of 2016



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