

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.5894 of 2016

and WMP.No.5254 of 2016

J.Ramesh Chowdary

.. Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by Chief Revenue Controlling Authority and
Inspector General of Registration
No.120, Santhome High Road,
Chennai-28.

2.The Sub Registrar

Redhills, Chennai-52.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the 2nd respondent to register and release the sale deeds as mentioned in petitioner's representation dated 21.12.2015.

For Petitioner : Mr.N.S.Shivakumaran

For respondents : Mr.S.Navaneethan, AGP.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the 2nd respondent to register and release the sale deeds as mentioned in petitioner's representation dated 21.12.2015.

3.The petitioner presented four sale deeds on 04.09.2014 duly executed by the parties concerned in receipts issued by the second respondent bearing Nos.201426679, 201426680, 201426681 and 201426682. The previous agreement holders in respect of the said properties signed in the sale deeds as confirming parties along with the vendors. The petitioner paid necessary stamp duty as well as the registration fees towards the above said sale deeds, but the said sale deeds were not registered and

released by the second respondent. As per the departmental circulars, the second respondent informed the petitioner orally that since the confirming parties also signed in the sale deeds, the petitioner has to pay double the amount of stamp duty.

4.The said circular was quashed by this Court in WP.No.9936 of 2014 by an order dated 20.02.2015, as against the order of the learned single judge, the State Government has preferred writ appeals in WA.Nos.303, 304 and 474 of 2015 the same were also dismissed on 23.09.2015. The petitioner sent a representation to the second respondent on 21.12.2015 requesting him to register and release the sale deeds presented on 04.09.2014. But till date the second respondent has not considered the request of the petitioner, hence the petitioner filed the present writ petition.

5.Heard the submissions of learned counsel appearing for the petitioner and the learned Additional Government Pleader who accepts notice on behalf of the respondents.

6.Considering the facts and circumstances, this Court directs the second respondent to consider the representation of the petitioner dated 21.12.2015 and pass appropriate orders, on merits and in accordance with law and in the light of the order passed in WP.No.9936 of 2014 dated 20.02.2015 as confirmed in the judgment made in WA.Nos.303, 304 & 474 of 2015 dated 23.09.2015, within a period of four weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

To

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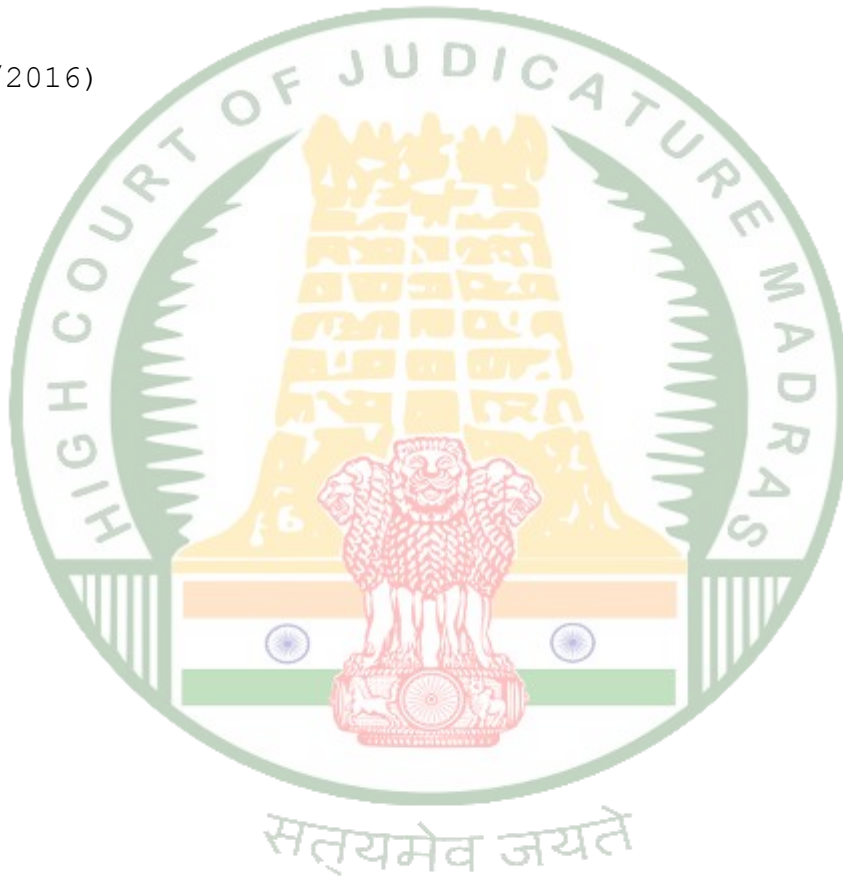
1.The Chief Revenue Controlling Authority and
Inspector General of Registration,
No.120, Santhome High Road,
Chennai-28.

2.The Sub Registrar
Redhills, Chennai-52.

+1cc to Mr.N.S.Shivakumaran, Advocate, S.R.No.10386
+1cc to the Government Pleader, S.R.No.10595

W.P.No.5894 of 2016.

ev (CO)
srg (04/03/2016)



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