

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.8519 of 2016

R.Dhandapani

... Petitioner

Vs.

1.The District Revenue Officer (stamps)
Coimbatore.

2.The Sub Registrar
Dharapuram,
Thirupur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the first respondent to pass the final order in the reference under Section 47A of the Indian Stamp Act in respect of Document No.311 of 2005 on the file of Sub Registrar, Dharapuram in respect of the property comprised in TS.Nos.17/2, 20/1 A1D, 15/37, 16/2 to an extent of 1.62 acres and communicate the same to the petitioner.

For Petitioner : M/s.S.Saravanan

For respondents : Mr.K.Thangapandi,
Government Advocate.

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 first respondent to pass the final order in the reference under Section 47A of the Indian Stamp Act, in respect of Document No.311 of 2005 on the file of Sub Registrar, Dharapuram in respect of the property comprised in TS.Nos.17/2, 20/1 A1D, 15/37, 16/2 to an extent of 1.62 acres.

3.The petitioner purchased agricultural land comprised in TS.Nos.17/2, 20/1 A1D, 15/37, 16/2 measuring to an extent of 1.62 acres within the ward No.7, Nachimuthupudur West,

Dharapuram Town, Tiruppur District from one V.Rajammal vide registered Document No.311 of 2015 dated 28.01.2015 on the file of the Sub Registrar, Dharapuram. The said document was not registered or returned to the petitioner, but it is referred to the District Revenue Officer (Stamps) under Section 47A of the Indian Stamps Act vide MU.Pa.No.92 of 2005 dated 11.01.2008. The petitioner was called for enquiry on 29.01.2008 and hence he participated in the said enquiry before the first respondent and submitted the relevant documents. Thereafter, the petitioner has not received any communication from the first respondent.

4.Earlier, the petitioner filed WP.No.30007 of 2013 before this Court to return the registered document in Document No.311 of 2005 dated 28.01.2015, this Court by an order dated 21.11.2013 disposed of the writ petition with a direction to the respondents to return the registered document to the petitioner. In pursuant to the said order, the petitioner received the original document with an endorsement to the effect that proceedings under Section 47A of the Indian Stamps Act is pending as on 13.06.2014 and thus the document is released subject to final order to be passed under Section 47A of the Act. Thereafter, the petitioner made a representations dated 27.09.2012, 17.01.2014 and 07.12.2015 to the respondents for passing final order in the reference made under Section 47A of the Indian Stamps Act. But the said representation was not considered. Hence, the petitioner before this Court.

5.Today, when the matter is taken up for consideration, the learned Government Advocate filed typed set of papers enclosing the photocopy of the order dated 05.03.2008 passed by the first respondent, stating that final order has been passed, as early as in the year 2008 itself and thus sought for dismissal of writ petition.

6.In view of the submission made by the learned Government Advocate, I am of the opinion now nothing survives in this writ petition. Hence, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

tsh

To

1.The District Revenue Officer (stamps)
Coimbatore.

2.The Sub Registrar
Dharapuram,
Thirupur District.

+lcc to Mr.S.Saravanan, Advocate, S.R.No.18427
+lcc to the Government Pleader, S.R.No.18371

W.P.No.8519 of 2016

NM(CO)
CA(13/04/2016)



WEB COPY