



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2016

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

W.A.(MD).No. 101 of 2015

and

M.P.No.1 of 2015

1.The Special Deputy Collector (Stamps)
Virudhunagar District,
Virudhunagar.

2.The Sub Registrar,
Office of the Sub Registrar,
Aruppukottai Town.

:Appellants

Vs.

J.Bharathi

:Respondent

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the Order dated 27.10.2014 made in W.P.(MD).No. 17240 of 2014 on the file of this Court.

Prayer in WP(MD). 17240/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus to direct the 2nd respondent herein to release the petitioner's sale deed registered vide document No:201405267, dated 16.10.2014 within a stipulated period as fixed by this Honble Court.

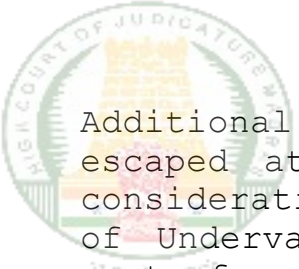
For Appellants : Mr.B.Pugalendhi
Addl. Advocate General Assisted by
Mr.A.K.Baskarapandian
Spl. Government Pleader

For Respondents : Mr.H.Arumugam for
M/s.V.B.Sundareswar

JUDGMENT

[Judgment of the Court was delivered by
The Hon'ble The Chief Justice]

The issue raised in this appeal is no more res integra, in view of the judgment of the Division Bench of this Court in W.A. (MD) No.1346/2016, decided, on 17.10.2016. In fact, there are even earlier judgments to the same effect and though the learned



Additional Advocate General sought to plead that some aspects have escaped attention in the earlier judgments, on account of non consideration of Rules 4 and 7 of the Tamil Nadu Stamp (Prevention of Undervaluation of Instruments) Rules 1988 they atleast find part of consideration in the recent judgment.

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2. We may also note that we are informed that despite the lapse of more than two years, there has been no progress before the Collector of Stamps in respect of the proceedings against the respondent. Prima facie, this would amount to harassment of the respondent as proceedings are sought to be taken for undervaluation and yet no determination takes place.

3. The appeal is thus, dismissed. But the appellants are directed to file a status report as to what steps were taken by the Collector of Stamps, after the reference was made to him in the present case, how many such matters are pending before the Collector of Stamps and since when and as to the number of post of officers to deal with the matter in issue and whether any vacancies exist or not.

4. No costs. Consequently connected Miscellaneous Petition is closed.

5. List for compliance on 04.01.2017.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1.The Special Deputy Collector (Stamps)
Virudhunagar District,
Virudhunagar.

2.The Sub Registrar,
Office of the Sub Registrar,
Aruppukottai Town.

+1cc to M/s.V.B.Sundareshwar, Advocate in SR.78603
+1cc to the Special Government Pleader, in SR.79446

W.A(MD) No.101 of 2015
and M.P.No.1 of 2015
Dated:02.12.2016

rr.

PBK/EM 23/12/2016 ::2P-5C: