

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

C.M.A.No.152 of 2015 and
M.P.Nos.1 & 2 of 2015

K.Srinivasan

... Appellant

Vs.

1.The Chief Controlling Revenue Authority
cum-Inspector General of Registration,
Registration Department,
Santhome High Road, Chennai - 600 028.

2.The District Registrar,
Tindivanam, Villupuram District.

3.The Sub Registrar,
Avalurpet,
Gingee Taluk, Villupuram District.

... Respondents

Appeal filed under Section 47 A (10) of the Indian Stamp Act, 1899 against the impugned order passed by the 1st respondent viz., The Chief Controlling Revenue Authority-cum-Inspector General of Registration, Chennai in proceeding bearing No.D.Dis.No/21116/P1/2014 dated 21.10.2014.

For Appellant : Mr.S.Udayakumar
For Respondents : Mr.T.Jayaramaraj,
Government Advocate (CS)

J U D G M E N T

Challenging the order passed by the Inspector General of Registration under Section 56 (1) of the Indian Stamp Act, 1899, the appellant has filed the above appeal.

2.The appeal has been filed under Section 47 A (10) of the Indian Stamp Act. Under the said provision, the appellant cannot maintain the Civil Miscellaneous Appeal as against the order passed by the 1st respondent viz., the Inspector General of Registration under Section 56(1) of the Act. Further, under Section 56 (1) of the Act, no appeal remedy is available to the appellant. Therefore, the appellant cannot invoke Section 47 A

(10) of the Indian Stamp Act for filing an appeal against the order passed by the 1st respondent. In view of the said provision, the Civil Miscellaneous Appeal is not maintainable and the same is liable to be rejected.

3.Mr.S.Udayakumar, learned counsel appearing for the appellant also sought liberty to the appellant to file a Writ Petition challenging the impugned order dated 21.10.2014 passed by the 1st respondent, for which, Mr.T.Jayaramaraj, learned Government Advocate (CS) has no objection.

4.In view of the reasons stated above, the Civil Miscellaneous Appeal is rejected as not maintainable. It is open to the appellant to challenge the impugned order in accordance with law within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

va
TO

1.The Chief Controlling Revenue Authority
cum-Inspector General of Registration,
Registration Department,
Santhome High Road, Chennai - 600 028.

2.The District Registrar,
Tindivanam, Villupuram District.

3.The Sub Registrar,
Avalurpet,
Gingee Taluk, Villupuram District

+1cc to Mr.S.Udayakumar, Advocate SR. 76311
+1cc to the Government Pleader Sr. 76623

C.M.A.No.152 of 2015 and
M.P.Nos.1 & 2 of 2015

AR(V)
VR(31/10/2017)