

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2017

CORAM

The Honourable MR. JUSTICE M.DURAISWAMY

W.P.No.25537 of 2016
and W.M.P.No.21886 of 2016

N.M.Hasina

[Petitioner]

Vs

- 1 The Inspector General of Registration
Office of The Inspector
General of Registration
No.100 Santhome High Road Chennai-28.
- 2 The Deputy Inspector General of Registration
Office of The Inspector
General of Registration
No.100 Santhome High Road Chennai-28.
- 3 The District Registrar (Chennai South)
District Registrar Office
Jeenis Road Saidapet Chennai-15.
- 4 The Sub Registrar
Sub Registrar Office-Kundrathur
61/1 Venniyar Street Kundrathur Chennai-69.
- 5 The District Revenue Officer(Stamps)
Office of the Collectorate Chennai District
Rajaji Salai Chennai-1.
- 6 The Superintendent
Office of The Inspector General of
Registration No.100 Santhome High Road
Chennai-28.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus calling for the records pertaining to the impugned order of the 6th respondent No.26624/ L2/2016-2 dated 28.6.2016 and all the related proceedings quashing the same and directing the respondents to re examine the value of the land and fix the appropriate land value.

For Petitioner : Mr.L.Chandrakumar for
Mr.J.Karthikeyan

For Respondents : Mr.Era Premnath, GA

ORDER

Heard the learned counsel for the petitioner and Mr.Era Premnath, learned Government Advocate, appearing for the respondents.

2. The petitioner has filed the above writ petition to issue a writs of certiorarified mandamus to call for the records pertaining to the impugned order dated 28.6.2016 and all the related proceedings and to quash the same and to direct the respondents to re-examine the value of the land and fix the appropriate land value.

3. Admittedly, with regard to the valuation of the land, the matter has been referred to the 5th respondent under Section 47-A of the Indian Stamp Act (hereinafter referred to as "the Act") and the proceedings is also pending before the 5th respondent. Now, the petitioner has sought to quash the order passed by the 1st respondent and directing the 4th respondent to inspect the property. The petitioner has filed an appeal before the 1st respondent, questioning the fixation of higher value for the land and the 1st respondent, by order dated 28.06.2016 informed the petitioner that the proceedings under Section 47(A-1) of the Act is pending before the 5th respondent and therefore, the petitioner can agitate all the issues pertaining to the value of the land before the 5th respondent.

4. Mr.Era Premnath, learned Government Advocate appearing for the respondents submitted that the order passed by the 1st respondent is perfectly correct and the petitioner has to only prosecute the proceedings under Section 47-a of the Act before the 5th respondent in accordance with law.

5. I completely agree with the submissions made by the learned Government Advocate and I do not find any error or irregularity in the order passed by the 1st respondent.

6. Accordingly, the writ petition is devoid of merits and hence the same is dismissed. However, it is open to the petitioner to putforth her case before the 5th respondent and establish her case in accordance with law. The 5th respondent is directed to dispose of the proceedings under Section 47-A of the

Act, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Inspector General of Registration
Office of The Inspector
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Office of The Inspector
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- 6 The Superintendent
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Registration No.100 Santhome High Road
Chennai-28.

+1cc to Mr.J.Karthikeyan, Advocate, S.R.No.58776
+1cc to the Government Pleader, S.R.No.58877

W.P.No.25537 of 2016

KJI(CO)
CS/21/08/17