

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2017

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

And

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.1170 of 2016

And

C.M.P.Nos.15037 and 15038 of 2016

- 1.The Chief Controlling Revenue Authority,
cum Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 600 028.
- 2.The Special Deputy Tahsildar (Stamps),
Chennai.
- 3.The Sub Registrar,
Ambattur Sub Registrar's Office,
Ambattur, Tiruvallur District. Appellants

Vs.

M.Arvind Respondent

Prayer:

Writ appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 21.04.2016 in W.P.No.10561 of 2016. Petition filed under Article 226 of to constitution of India praying a writ of Mandamus directing the respondents to return the Sale Deed dated 16.5.2008 registered as Document No.4428 of 2008 on the file of office of the Sub-Registrar Ambattur to the petitioner within a reasonable period to be fixed by this Honourable Court.

For Appellants : Mrs.A.Srijayanthi
Special Government Pleader
For Respondent : No Appearance

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN,J.)

This intra court appeal is directed against the order dated 21.04.2016 in W.P.No.10561 of 2016 whereby and whereunder the learned Single Judge issued a Mandamus directing the Sub Registrar, Ambattur, to release the sale deed executed by the

respondent dated 16.05.2008 forthwith after making endorsement with regard to the pendency of the under-valuation proceedings.

2.The State has come up with this appeal with a contention that when the statutory proceedings are pending under Section 47 A of the Indian Stamp Act, it was not proper on the part of the learned Single Judge to direct the release of the sale deed.

3.We have adjourned the matter time and again so as to enable the learned Special Government Pleader to take instructions as to whether the Inspector General of Registration, Chennai, passed orders under Section 47 A of the Indian Stamps Act.

4.When the appeal was taken up for hearing today, the learned Special Government Pleader submitted that the Inspector General of Registration, Chennai, by order dated 06.01.2017 determined the Stamp duty payable by the respondent. The respondent on receipt of the order, paid the deficit Stamp duty and obtained the sale deed.

5.The writ petition was filed for release of the document pending adjudication by the Inspector General of Registration. The Inspector General of Registration has completed the adjudication and thereafter, the respondent received the document. We are therefore of the view that nothing survives for adjudication in the present appeal.

6.The intra court appeal is disposed of on account of the subsequent events. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Special Deputy Tahsildar (Stamps),
Chennai.

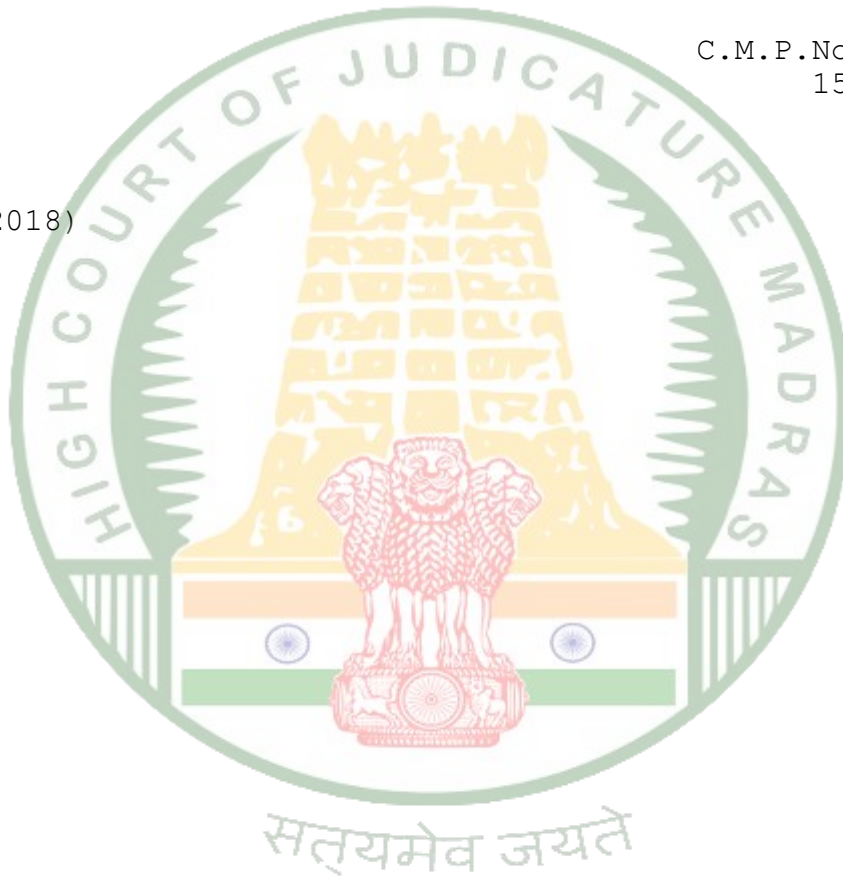
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3.The Sub Registrar,
Ambattur Sub Registrar's Office,
Ambattur, Tiruvallur District.

+ 1 cc to MR. Government Pleader SR.89050

W.A.No.1170 of 2016
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NRI (CO)
EU(11/01/2018)



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