



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2017

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.A. (MD) No.824 of 2017 and
C.M.P. (MD) No.8869 of 2017

R.D.Sathya Narayana Raju

... Appellant/Petitioner

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road, Chennai - 600 028.
2. The District Collector,
Thoothukudi District,
Thoothukudi.
3. The Special Deputy Collector (Stamp)
Collectorate,
Korampallam,
Thoothukudi District.
4. The Special Tahsildar (Stamp)
Thoothukudi District,
Thoothukudi.

... Respondents

Prayer: This Civil Miscellaneous Appeal filed under Section 47 A (10) of Indian Stamp Act, to set aside the order passed by the 1st respondent vide his proceedings in Pa.Mu.No.12557/N4/2016 dated 25.04.2016 and the consequential memo issued by the 3rd respondent in C.Pa.No.124/09 signed on 30.06.2016.

For Appellant : Mr.K.Gokul
For Respondents : Mr.D.Muruganantham, A.G.P.

JUDGMENT

The appellant has challenged the impugned order dated 25.04.2016 issued by the first respondent herein under Section 47(A) (5) of the Stamp Act.

2.The appellant contended that he received notice dated 05.04.2016 fixing the enquiry date as 05.04.2016 on 07.04.2016. It appears that the enquiry date that was actually fixed was 13.04.2016.

<https://hcservices.courts.gov.in/hcservices/>

3.The learned Additional Government Pleader submits that as per the note file, the enquiry date was 13.04.2016 only. However, due



to an inadvertent typing error in the notice copy served on the appellant, the date of enquiry was wrongly mentioned as 05.04.2016, as a result, the appellant did not appear before the first respondent, even though a personal hearing was fixed on 13.04.2016.

4. On the ground of violation of principles of natural justice, I quash the order impugned in this civil miscellaneous appeal. The matter is remitted to the file of the first respondent with a direction to hold a fresh enquiry and after affording full opportunity to the appellant, pass orders in accordance with law.

5. This civil miscellaneous appeal is allowed as indicated above. Consequently, connected miscellaneous petition is dismissed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector General of Registration,
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4. The Special Tahsildar (Stamp)
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Thoothukudi.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 82297

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TE/JC/SAR-I : 13/11/2017 : 3P/6C

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