



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.09.2017**

CORAM:

THE HONOURABLE **MR. JUSTICE M.M. SUNDRESH**
AND
THE HONOURABLE **MR. JUSTICE N. SATHISH KUMAR**

W.A. (MD). No. 1339 of 2016 &
C.M.P. (MD). No. 9583 of 2016

1. The Special Deputy Collector (Stamps),
Tirunelveli-9.

2. The Sub Registrar II,
Nagercoil,
Kanyakumari District. ... Appellants/ Respondents

Vs.

M. Gnanamani ... Respondent/Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent against the order dated 10.04.2014 made in W.P. (MD). No. 10885 of 2012.

Prayer in WP (MD). 10885/ 2012 :

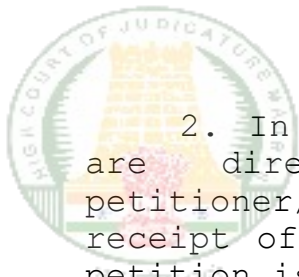
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, in the nature of writ, directing the respondents to return the document of the petitioner bearing Registration No. 2257 of 2001 dated 23.10.2001.

For Appellants : Mr. VR. Shanmuganathan
Special Government Pleader
For Respondent : Mr. C. Godwin

JUDGMENT

[Judgment of the Court was delivered by **M.M. SUNDRESH, J**]

This appeal is directed against the order of the learned Single Judge, who after going through the entire records placed, directed the appellants to return the document. It appears from the records that the order of remand was passed in the year 2007. Unfortunately, till now neither any adjudication has taken place nor the document has been returned. In such view of the matter, the appellants challenging the order passed by the learned Single Judge warranting interference. Even on perusal of the scheme of the Indian Stamp Act, time is an important factor, which has been breached in the case on hand by more than a decade.



2. In the result, the appeal stands dismissed. The appellants are directed to return the documents to the writ petitioner/respondent, within a period of 6 weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar(CRL.SIDE)

/True Copy/

Sub Assistant Registrar

To

1.The Special Deputy Collector (Stamps),
Tirunelveli-9.

2.The Sub Registrar II,
Nagercoil, Kanyakumari District.

+1cc to Mr.C.GODWIN Advocate in SR. No. 80423

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 80946

JIKR

JS/MR.KKR/SAR.1/10.10.2017/2P-5C

Judgment made in
W.A.(MD).No.1339 of 2016 &
C.M.P.(MD).No.9583 of 2016
21.09.2017