



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P. (MD) No.18223 of 2017

WEB COPY

M.Kirubakaran

... Petitioner

Vs.

1.The Special Assistant Collector (Stamps)
Opposite to Anna Bus Stand,
Madurai - 20.

2.The Sub Registrar,
No.2, Sub Registrar Office,
Dindigul.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to take necessary action by considering the petitioner's representation dated 06.04.2017 in accordance with law within the period stipulated by this Court.

For petitioner : Mr.P.Sathiyamoorthy

For respondents : Mr.G.Muthukannan

ORDER

This writ petition is filed seeking for issuance of a Writ of Mandamus directing the first respondent to take necessary action by considering the petitioner's representation dated 06.04.2017.

2.It is seen that the petitioner purchased a property through a registered sale deed, dated 10.09.2015. The second respondent having found that the petitioner has not paid stamp duty to the correct value of the property, referred the matter under Section 47-A to the first respondent. The first respondent has also passed final order directing the petitioner to pay a sum of Rs.17,93,655/-. The petitioner, without challenging that order, sent a representation on 06.04.2017 to consider the claim of the petitioner again.

3.Mr.G.Muthukannan, learned Government Advocate would submit that against the order of the first respondent, the petitioner has remedy to file an appeal before the Inspector General of Registration and the first respondent has no power to consider the representation of the petitioner.

4.At this juncture, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw this writ petition with liberty to file an appeal.

5.Considering the above-said submissions, this writ petition is dismissed as withdrawn by giving liberty to the petitioner to



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file an appeal, within a period of three weeks from today. No costs.

Sd/-

Assistant Registrar(RTI)

/True copy/

WEB COPY

Sub Assistant Registrar

To

1.The Special Assistant Collector (Stamps)
Opposite to Anna Bus Stand,
Madurai - 20.

2.The Sub Registrar,
No.2, Sub Registrar Office,
Dindigul.

+1cc to M/S.Special Government Pleader,SR. 81077

skn

KK/SV MMS/SAR 4/09.10.2017/ 2P- 4C/

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22.09.2017