

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.11.2018

CORAM
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
W.P.No.11520 of 2012

C.T.Senthilnathan

..Petitioner

Versus

District Registrar Stamps
Singaravelar Maligai,
No.32, Rajaji Salai,
Chennai - 600 001

..Respondent

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to repost the reference A1/10/08 made under Section 47A of the Indian Stamp Act, 1899, after giving an opportunity to the petitioner to make his representations.

For Petitioner :: Mr.S.Devanathan

For Respondent :: Mr.P.Purushothaman,
Govt.Advocate

ORDER

This Writ Petition has been filed seeking an order of Mandamus to direct the respondent, namely the District Registrar (Stamps), Chennai to repost the reference A1/10/08 made under Section 47A of the Indian Stamp Act after giving an opportunity to the petitioner.

2. Heard both sides.

3. The grievance of the petitioner is that he had presented a sale deed for purchase of land to an extent of 19 grounds and 89 sq.ft at No.8, Luz Church Road, Mylapore, Chennai. A few back ground facts are necessary. The petitioner was a lessee of the vacant lands. His predecessor in title had put up a superstructure for running a theatre called "Kamadhenu" theatre. The petitioner had filed application under the Tamil Nadu City Tenants Protection Act, to purchase the leased lands. The matter went up to the Supreme Court and he was successful. The City Civil Court held that the average market value of the leased lands as on 13.09.1994 was Rs.2,70,00,000/-. He had paid the entire consideration. According to the petitioner, he presented the sale deed for registration. However, it had been impounded and had been referred under Section 47 A of the Indian Stamp Act by the respondent herein.

4. The learned Government Advocate stated that the matter had been kept pending by the respondent without passing any orders. The respondent is directed to pass necessary orders after giving notice to the petitioner and also after affording an opportunity of hearing to advance his views both in writing and orally and consider the same and thereafter, orders can be passed by the respondent. The respondent is directed to dispose of the file within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvi

To

The District Registrar Stamps
Singaravelar Maligai,
No.32, Rajaji Salai,
Chennai - 600 001

+1cc to Mr.S.Devanathan, Advocate, S.R.No.79288
+1cc to the Government Pleader, S.R.No.79958

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RSI (CO)

rrs 12/12/2018

सत्यमेव जयते

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