

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.24341 of 2018
and W.M.P.No.28356 of 2018

- 1.M/s.Virgo Realtors Private Limited
Rep. By its Managing Director T.Shyam Prasad,
"Plaza House" No.5, Thirumurthy Street,
T.Nagar, Chennai 600 017.
- 2.M/s.Virgo Properties Private Limited,
Rep. By its Managing Director T.Shyam Prasad,
"Plaza House" No.5, Thirmurthy Street,
T.Nagar, Chennai 600 017.
- ... Petitioners

Vs

- 1.The State of Tamilnadu
Rep. By its Secretary,
Commercial Taxes and Religious Endowments Department,
Fort St. George,
Chennai 600 009.
- 2.Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai 600 028.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 2nd respondent to consider the representation of the petitioners company dated 31.08.2017 and dispose the same in the light of the G.O.Ms.No.56 Commercial Taxes and Religious Endowment Department dated 29.06.2017.

For Petitioners : Mr.P.C.Harikumar
For Respondents : Mr.T.M.Pappiah,
Special Government Pleader

O R D E R

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioners have come up with this writ petition seeking a direction to the 2nd respondent to consider the representation of the petitioners company dated 31.08.2017 and dispose the same.

3.According to the learned counsel for the petitioners, the 1st respondent has sent a letter dated 10.10.2008 to the 2nd respondent with respect to refund of stamp duty paid by the petitioners company. In view of the same, the petitioners company herein have made representation to the 2nd respondent vide letter dated 31.08.2017, pursuant to the G.O.Ms.No.56 Commercial Taxes and Religious Endowments Department dated 29.06.2017, seeking refund of excess stamp duty collected by the respondents 1 and 2. The 2nd respondent duly received the said representation, but is yet to dispose of the representation of the petitioners company.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the 2nd respondent to consider the petitioners representation dated 31.08.2017 for effecting refund of the excess amount towards stamp duty and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of personal hearing to the petitioners as well as any of the interested parties, within a period of six (6) weeks from the date of receipt of a copy of this order.

5.Accordingly, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

gsa

To

1.The Secretary,
State of Tamilnadu,
Commercial Taxes and Religious Endowments Department,
Fort St. George,
Chennai 600 009.

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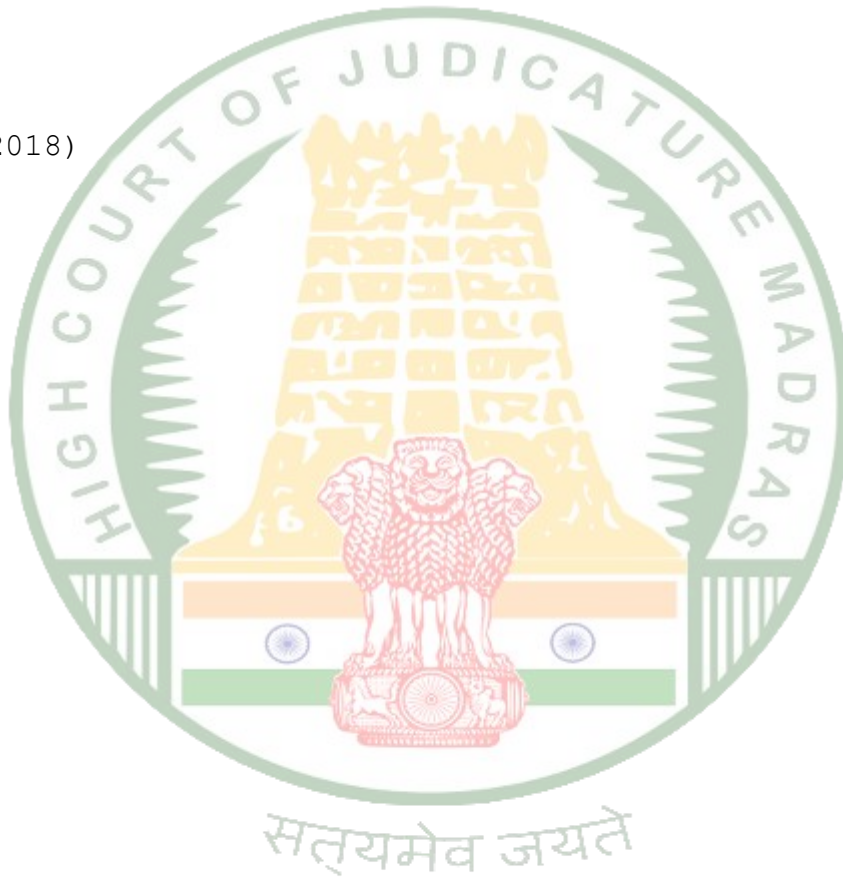
2. Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai 600 028.

+1 CC to Govt. Pleader sr 64968.

+1 CC to Mr.P.C. Harikumar, Advocate sr 64079.

W.P.No.24341 of 2018
and W.M.P.No.28356 of 2018

SKV(CO)
SP(12/10/2018)



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