

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2018

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.38951 of 2016
and
W.M.P.No.33359 of 2016

Mr.P.Varadarajan
Rep by Power Agent
Vikram Chandiramani

... Petitioner

Vs.

- 1.Chief Controlling Revenue Authority & Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai- 600 028.
2. Assistant Inspector General of Registration,
Chennai Range,
No.100, Santhome High Road,
Pattinapakkam. Chennai-600 028.
3. District Registrar of South Chennai (Administration),
No.9, Jeenis Road, Ground Floor,
Saidapet, Chennai- 600 015.
4. Sub-Registrar,
Neelangarai Sub-Registrar Office,
Neelangarai, Chennai.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a WRIT OF CERTIORARI to call for the records of the impugned show Cause notice dated 20.08.2016 bearing No.13009/2015 issued by the third respondent and quash the same.

For Petitioner

: Mr.R.Anish Kumar

For Respondents

: Mr.P.P.Purushothaman
Government Advocate.

O R D E R

The relief sought for in this writ petition is for a writ of Mandamus to call for the records in respect of the impugned

order passed by the second respondent in proceeding dated 15.10.2014, and consequently direct the first respondent to remove the deficit stamp duty and registration fee entries made in the encumbrance certificate of the petitioner property situated at New No. 1/84 & 1/85, Old No.1/43 & 1/44, East Coast Road, Palavakkam Village, Sholiganallur Taluk, Kancheepuram District and comprised in New Survey No. 79/41A.

2. The learned Government Advocate appearing on behalf of the respondent now brought to the notice of this Court that the petitioner had registered the document and the same was already released by the Sub Registrar concerned. However the impugned order passed in respect of the deficit Court fee is not necessary, in view of the fact that the Government had granted exemption under the Indian Stamp Act in G.O.Ms.No. 56 dated 29.06.2017.

3. Pursuant to the above G.O., the writ petitioner is exempted from payment of deficit Court fee difference and he is not liable to pay any further more Duty in respect of the Registration already completed. Thus the impugned order dated 15.10.2014 bearing reference No.445/cgJj/2014 issued by the second respondent stands quashed.

4. Accordingly, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

tta/rts

To

- 1.Chief Controlling Revenue Authority
& Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai- 600 028.
2. Assistant Inspector General of Registration,
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4. Sub-Registrar,
Neelangarai Sub-Registrar Office,
Neelangarai, Chennai.

+1cc to Mr.R.Anishkumar, Advocate SR.No.71349

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SS (CO)

GMV (14/11/2018)



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