

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.M.A.NO.3300 OF 2009
AND MP NOS.1 AND 2 OF 2009

1.Murugan
2.A.M.Ibramsha

... Appellants/Petitioner

Vs.

1.The Inspector General of Registration
and Chief Controlling Revenue Authority
Chennai - 600 028.

2.The Special Deputy Collector (Stamps)
Cuddalore.

3.The Joint Sub-Registrar II
Kallakurichi.

... Respondents/Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 47-A(10) of Indian Stamp Act, 1899, against the order dated 14.03.2006 in No.5814/N3/05 on the file of the Inspector General of Registration and Chief Controlling Revenue Authority, Chennai - 600 028, modifying the order dated 30.11.2004 in M.P.No.6167/02-03 before the Joint Sub Registrar - II, Kallakurichi, Cuddalore.

For Appellants : Ms.R.Meenal

For Respondents : Ms.A.Madhumathi

Additional Government Pleader

J U D G M E N T

This Civil Miscellaneous Appeal is preferred against the order passed by the Inspector General of Registration, the first respondent herein, dated 14.03.2006.

2. The Sub Registrar has referred the document presented by the appellants for redetermination of market value under Section 47-A(1) of the Indian Stamp Act, 1899. The second respondent re-fixed the value and demanded deficit stamp duty, which was

agitated by the appellants, by way of an appeal before the first respondent. The first respondent passed orders on 14.03.2006, confirming the order dated 30.11.2004, passed by the second respondent.

3. The learned Additional Government Pleader would submit that the Government, under G.O.Ms.No.189, Commercial Taxes and Registration (J1) Department, dated 29.12.2017, has announced Samadhan Scheme. As per the said Government Order, all the appeals, which are pending before this Court as on 08.06.2017, under Section 47-A(10) of the Indian Stamp Act are covered by the Scheme.

4. Even though a larger prayer had been sought for in this Civil Miscellaneous Appeal, learned counsel for the appellants would submit that they are willing to avail the benefits of Samadhan Scheme announced by the Government in G.O.Ms.No.189, Commercial Taxes and Registration (J1) Department, dated 29.12.2017.

5. Therefore, with the consent of the parties, the impugned order dated 14.03.2006 passed by the first respondent in proceedings No.5814/N3/05 is set aside and the matter is remitted back to the first respondent to consider and dispose of the same under Samadhan Scheme.

6. The Civil Miscellaneous Appeal is disposed of with the above observation and direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

TK

To

1.The Inspector General of Registration
and Chief Controlling Revenue Authority
Chennai - 600 028.

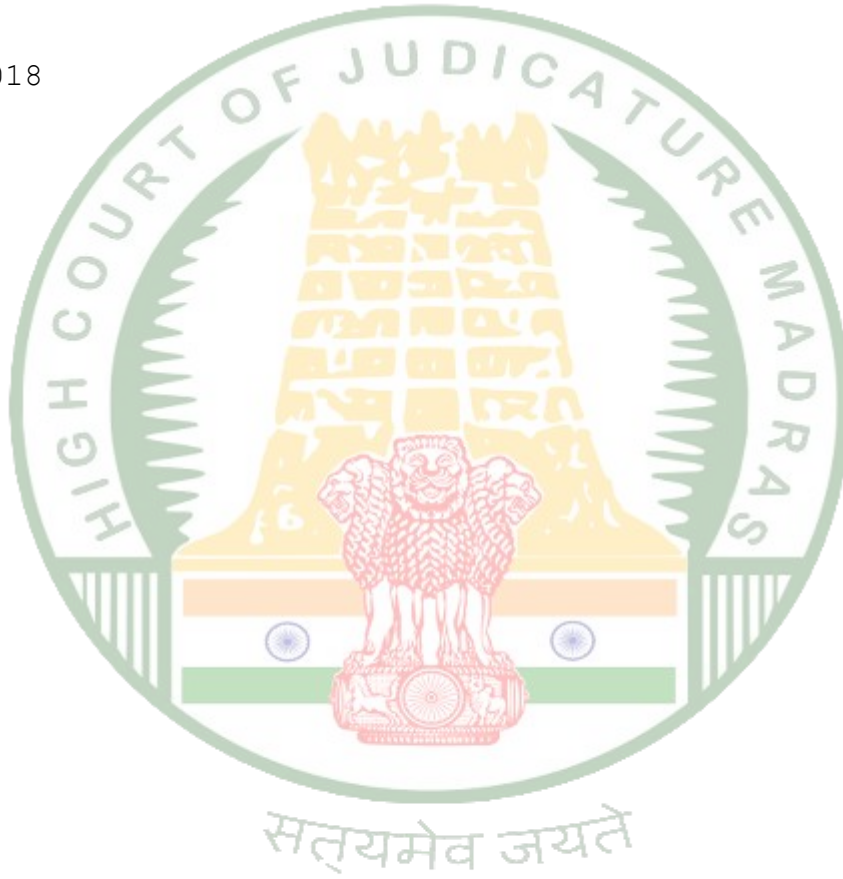
2.The Special Deputy Collector (Stamps)
Cuddalore.

3.The Joint Sub-Registrar II
Kallakurichi.

+1 cc to Mr.R.Subramani Advocate sr 8203
+1 cc to Special Govt Pleader sr 8580

C.M.A.NO.3300 OF 2009

sks (co)
aa05/04/2018



WEB COPY