

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.10.2018

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.M.A.No.3459 of 2014

and

M.P.No.1 of 2014

G.Prithiviraj

... Appellant

Vs.

1. The Inspector General of Registration,
Government of Tamil Nadu,
Santhome High Road,
Chennai - 600 028.

2. The District Revenue Office (Stamps)
5th Floor, Singaravelan Maligai,
No.32, Rajaji Salai,
Chennai - 1

3. Sub Registrar
Arani.

... Respondents

This Civil Miscellaneous Appeal is filed under Section 47A(10) of Indian Stamp Act, to set aside the order in Pa.Mu.49821/N1/12 dated 28.09.2013 passed by the Inspector General of Registration, Chennai.

For Appellant : Mr.M.Velmurugan

For Respondents : T.M.Pappiah
Special Government Pleader

Judgment

This Civil Miscellaneous Appeal has been filed to set aside the order in Pa.Mu.49821/N1/12 dated 28.09.2013 passed by the Inspector General of Registration, Chennai.

2. The appellant had purchased a properties in the year 2008 vide documents viz., 5513/2008 and 5514/2008. At the time of purchase, the lands were agricultural lands. Since square feet rate was mentioned in Guideline value

register, the appellant filed an appeal before the District Revenue Officer (Stamps), but, the District Revenue Officer (Stamps), without any inspection and giving notice to the appellant, passed an order against the appellant, fixing the land value as Rs.128/- per sq.ft. However, by an order dated 28.09.2013, the 1st respondent fixed the land value as Rs.25,00,000/- per acre. Aggrieved by the said order, the present Civil Miscellaneous Appeal has been filed by the appellant.

3. The learned counsel for the appellant would submit that the disputed land is an agricultural land, at the time of registration of the sale deeds.

4. In contrary, the learned Special Government Pleader would submit that the said land is not an agricultural land, and claiming further payment, as it is valued exorbitantly Rs.25,00,000/- per acre.

5. The learned counsel for the appellant and the learned Special Government Pleader for the respondents, consented for remitting the matter back to the 1st respondent for hearing the dispute a fresh. Accordingly, this Civil Miscellaneous Appeal is remitted back to the 1st respondent for fresh adjudication. The 1st respondent is directed to pass an order within a period of 12 weeks from the date of receipt of a copy of this order, by giving necessary opportunity to the parties concerned to put forth their claim.

6. With the above direction, this Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/--

Assistant Registrar (CS)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

raja

To

1. The Inspector General of Registration,
Government of Tamil Nadu,
Santhome High Road,
Chennai - 600 028.

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2. The District Revenue Officer (Stamps)
5th Floor, Singaravelan Maligai,
No.32, Rajaji Salai,
Chennai - 1

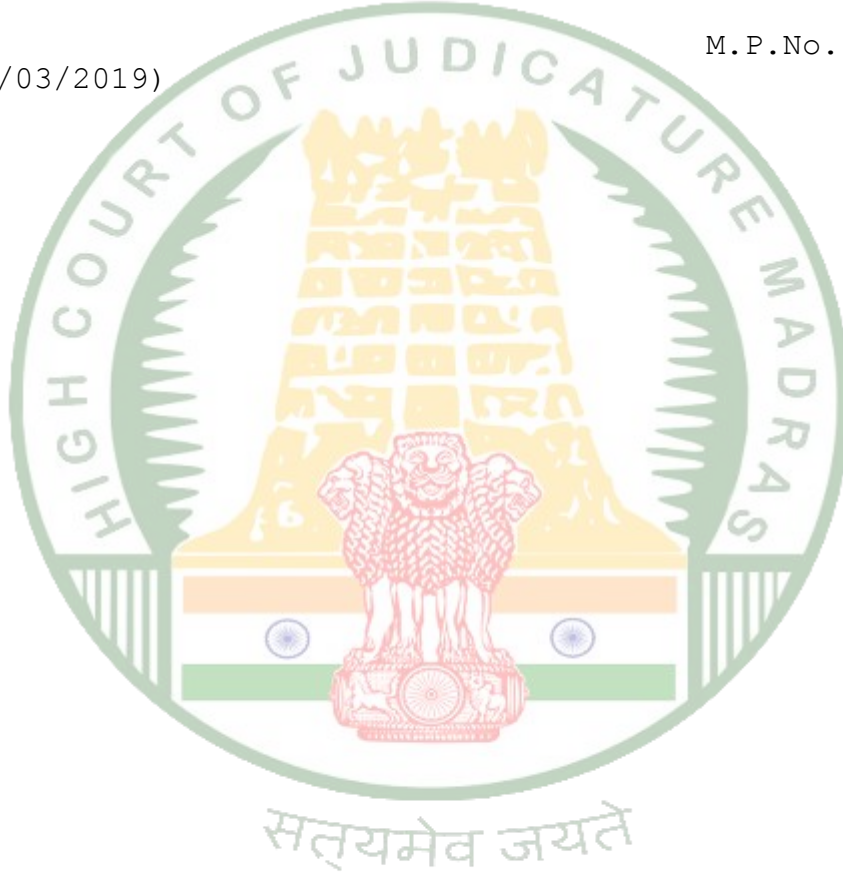
3. The Sub Registrar
Arani.

+1 CC TO GOVERNMENT PLEADER SR.NO. 74333

C.M.A.No.3459 of 2014
and

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A.SK(07/03/2019)



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