

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.1169 of 2016 and
CMP Nos.15018 and 15019 of 2016

- 1.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai -28.
 - 2.The District Revenue Officer (Stamps)
Chennai Collectorate,
5th Floor, Singaravelar Maligai,
No.32, Rajaji Salai, Chennai -1.
 - 3.The Sub-Registrar,
Ambattur, Chennai -53.Appellants
- Vs
- Kandula Ramanarayana ReddyRespondent

Prayer:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order passed by this Court in W.P.No.13356 of 2016 dated 11.04.2016.

WP.NO.13356/2016:

Writ Petition has been filed Under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 2nd and 3rd respondents to return/release the original sale deed registered as document No.13000/2015 dt 15.9.2015 on the file of 3rd respondent to the petitioner.

For Appellants : Mr.Manikandan
Government Advocate
For Respondent : Mr.Surya Narayana Reddy

J U D G M E N T

(Judgment of the Court was delivered by
K.K.SASIDHARAN, J.)

The learned single directed the appellants to release the registered document after making an endorsement with regard to

the pendency of the proceedings under Section 47-A of the Stamp Act. The order is under challenge at the instance of the State.

2. When the appeal is taken up for hearing, the learned Government Advocate appearing on behalf of the appellants and the learned counsel for the respondent jointly submitted that pursuant to the order passed by the learned Judge, the Sub-Registrar released the document to the respondent.

3. According to the learned Government Advocate, the competent authority under the Stamp Act, passed an order of adjudication and the same was challenged before the Appellate Authority.

4. Since the appellants have already released the document to the respondent and in view of the pendency of the appeal before the Appellate Authority under the Stamp Act, nothing survives for adjudication in this appeal. The question of law raised by the appellants is left open to be decided in an appropriate proceeding.

4. The intra court appeal is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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TO:

1.The Inspector General of Registration,
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+1cc to Government Pleader sr.no.29182

nr 22/02/2018

W.A.No.1169 of 2016