

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.553 of 2019

H & M Hennes and Mauritz Retail Private Limited,
A Company registered under the Companies Act, 2013,
Having registered Office at A-Wing, D-3,
2nd Floor, District Centre Saket, New Delhi 110 017,
Represented by its Expansion Legal Manager,
Ms.Nimisha Mund ... Petitioner

Vs.

1. Sub Registrar (Anna Nagar),
In the cadre of Registrar,
Sub Registrar Office, No.685, D Block,
2nd Street, Anna Nagar, West Extension,
Chennai 600 101
2. The Inspector General of Registration,
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 respondents to
adjudicate the stamp duty payable in the petitioner's
Adjudication Application dated 29.08.2018 in a time bound
manner.

For Petitioner : Mr.Vineet Subramani
For Respondents : Mr.T.M.Pappiah
Special Government Pleader

WEB COPY
ORDER

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

2. The petitioner has come up with this Writ Petition
seeking a direction to the respondents to adjudicate the
stamp duty payable in the petitioner's Adjudication
Application dated 29.08.2018 in a time bound manner.

3. According to the learned counsel for the petitioner, the petitioner has filed an Adjudication Application dated 21.07.2018 before the second respondent to adjudicate the Stamp Duty payable on the Lease Agreement under Section 31 of the Indian Stamp Act, 1899. The second respondent, vide letter bearing No.33036/C2/2018 dated 27.08.2018, directed the petitioner to approach the first respondent. Therefore, the petitioner-Company has filed its Adjudication Application before the first respondent on 29.08.2018. The petitioner has repeatedly followed up with the first respondent, but of no avail. Hence, the petitioner is before this Court.

4. Heard Mr.T.M.Pappiah, learned Special Government Pleader on behalf of the respondents.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's Adjudication Application dated 29.08.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

Srn

1. The Sub Registrar (Anna Nagar),
In the cadre of Registrar,
Sub Registrar Office, No.685, D Block,
2nd Street, Anna Nagar, West Extension,
Chennai 600 101
2. The Inspector General of Registration,
No.100, Santhome High Road, Chennai 600 028.

+1cc to Mr.Vineet Subramani , Advocate SR.No. 2079
+1 CC TO GOVERNMENT PLEADER SR.NO. 3282

W.P.No.553 of 2019

A.SK(31/01/2019)