

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.27484 of 2004
and W.P.M.P.No.33418 of 2004

M/s.Keyaram Hotels Pvt. Ltd.,
represented by its Director,
No.2, Harrington Road,
Chetput,
Chennai - 600 031.

... Petitioner

Vs.

1. The Joint Sub-Registrar II,
Thousand Lights,
Chennai.
2. District Revenue Officer (Stamps),
District Collector's Office,
Rajaji Salai,
Chennai 600 001.
3. Ms.B.S.Chandra,
Joint Sub-Registrar II,
Thousand Lights,
Chennai.
4. Mr.Hariharan,
District Revenue Officer (Stamps),
District Collector's Office,
Rajaji Salai,
Chennai 600 001.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in Na.Ka.Si.Pa.No.8/2004 on the file of the second respondent; to quash the order dated on 31.08.2004 made therein purporting to be the final order under Section 47(A)(1) of Indian Stamp Act and to direct the respondents to pay compensation to the petitioner the sum of Rs.2,50,000/- per month from 09.02.2004 upto the date of returning of the sale deed registered as document No.122/2004 on the file of the first respondent with due endorsements as contemplated under the Indian Registration Act.

For Petitioner : Mr.P.Gurusamy
for Mr.D.Saravanan
For Respondents : Mr.P.P.Prushothaman, G.A., for RR1 & 2
R3- Dismissed vide, Court order,
dated 26.08.2011
R4 - No Appearance

O R D E R

The challenge in the present Writ Petition is to the order dated 31.08.2004 passed under Section 47(A) (1) of Indian Stamp Act by the second respondent herein.

2. Today, when the matter is called, it is submitted by the learned counsel for the petitioner that pending Writ Petition, the petitioner had invoked the benefit of Samathan Scheme floated by the first respondent herein and paid the deficit Stamp Duty demanded by them and also received the original documents. As such, no further orders are required in the present Writ Petition.

3. At this juncture, the learned counsel for the petitioner submitted that though he has received the original Document No.122 of 2014, the respondents 1 and 2 have made endorsements in No.519/2004, dated 08.03.2005 and A2/8/2004, dated 28.10.2004, respectively. Since the deficit Stamp Duty has already been paid by the petitioner pursuant to the Samathan Scheme, the respondents are bound to delete such endorsements made in the petitioner's Document No.122 of 2014.

4. In this connection, the petitioner is granted liberty to make a representation to the respondents 1 and 2 herein seeking for deletion of the endorsements made and on receipt of such a representation, the respondents 1 and 2 shall take positive steps to have the endorsements deleted, which exercise shall be made within a period of two weeks from the date of receipt of the representation of the petitioner.

5. With the above observation and direction, the Writ Petition stands ordered. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Joint Sub-Registrar II,
Thousand Lights,
Chennai.
2. District Revenue Officer (Stamps),
District Collector's Office,
Rajaji Salai,
Chennai 600 001.

+1cc to M/s.P.Rathinadurai, Advocate sr.no.22219
+1cc to Government Pleader sr.no.23205

W.P.No.27484 of 2004

nr 22/04/2019



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