



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Nineteenth day of December Two Thousand Nineteen

WEB COPY

PRESENT

THE HON`BLE MR JUSTICE P.D.AUDIKESAVALU

WMP No.29105 of 2019

IN WP.NO.29304 of 2019

GODREJ PROPERTIES LIMITED, [PETITIONER]
A COMPANY INCORPORATED UNDER THE PROVISIONS
OF COMPANIES ACT, 1956 HAVING REGISTERED
OFFICE AT UNIT NO. 5C, 5TH FLOOR, GODREJ ONE,
PIROJSHANAGAR, VIKHROLI EAST, MUMBAI-400 079
AND BRANCH OFFICE AT 3RD FLOOR, SUDHARSHAN BULIDINGS,
92/5, CHAMIER'S ROAD, NANDANAM EXTENSION,
CHENNAI-600 018

Vs

1 ACCOUNTANT GENERAL (A AND E) TAMIL NADU [RESPONDENTS]
OFFICE OF THE ACCOUNTANT GENERAL (A AND E),
TAMIL NADU, 361 ANNA SALAI,
TEYNAMPET, CHENNAI - 600018

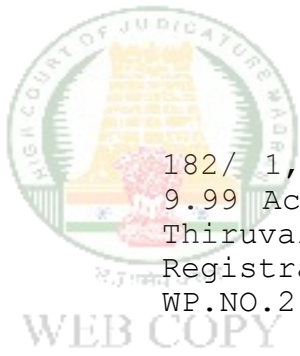
2 THE STATE OF TAMIL NADU,
REP. BY ITS PRINCIPAL SECRETARY,
COMMERCIAL TAXES AND EXCISE DEPARTMENT,
FORT ST. GEORGE, CHENNAI

3 THE INSPECTOR GENERAL OF REGISTRATION,
100, SANTHOME HIGH ROAD, MYLAPORE,
CHENNAI, TAMIL NADU 600028

4 THE SUB REGISTRAR,
POONAMALLE, MAGISTRATE COURT COMPLEX,
POONAMALLE, CHENNAI

5 DISTRICT COLLECTOR (STAMPS),
CHENNAI COLLECTORATE BUILDING,
RAJAJI SALAI, CHENNAI

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the Respondents to register Instruments pertaining to Survey Nos. 157/ 2 (part), 158/ 2 (part), 158/ 3 (part), 158/ 4 (part), 158/ 5 (part), 158/ 7 (part), 158/ 8 (part), 170/ 5 (part), 170/ 6 (part), 170/ 7 (part), 178/ 6A (part), 181/ 1, 181/ 2A, 181/ 2B, 181/ 2C, 181/ 2D, 181/ 3, 181/ 4, 181/ 6, 181/ 5, 181/ 7, 181/ 13,



182/ 1, 182/ 2 (part), 181/ 11 (part) all measuring an extent of 9.99 Acres situated in Chembarambakkam Village, Poonamallee Taluk, Thiruvallur District in accordance with the Stamp Act and Registration Act (in WMP.NO.29105/2019) pending disposal of the WP.NO.29304/2019.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. ARL. SUNDARESAN, SENIOR COUNSEL for Mr. G. VIVEKANAND, Advocate for the petitioner and of Mr. T. RAVIKUMAR, STANDING COUNSEL for 1st Respondent and of MR. S.R. RAJAGOPAL, ADDITIONAL ADVOCATE GENERAL ASSISTED BY MR. T.M. PAPPIAH, SPECIAL GOVERNMENT PLEADER for 2nd to 5th Respondents the court made the following order:-

Heard Mr. AR.L. Sundaresan, Learned Senior Counsel appearing for the Petitioner, Mr. T. Ravikumar, Learned Standing Counsel appearing for the First Respondent and Mr. S.R. Rajagopal, Learned Additional Advocate General assisted by Mr. T.M. Pappiah, Learned Special Government Pleader appearing for the Second to Fifth Respondents.

2. Accepting the proposal of the Learned Senior Counsel appearing for the Petitioner, Learned Additional Advocate General appearing for the Second to Fifth Respondents, on instructions, states that the deeds proposed to convey the property by the Petitioner would be accepted by the concerned Registering Authority, if it contains the following clause:-

"Whereas the demand has been made by the authorities towards additional stamp duty and registration fees towards two development agreement and an assignment agreement. The department has entered a charge on the property for the deficit in stamp duty, which has been challenged by the Developer in WP. Nos. 29304, 29373 and 27374 of 2019 before the High Court of Madras, and is pending for adjudication. The Department would not be precluded from recovering the same depending upon the outcome of the Writ petitions, and the Deed/Conveyance is executed subject to the same."

3. In view of the aforesaid submissions made, the concerned Registering Authority shall process the deeds of conveyance relating to the property presented by the Petitioner for registration, if it contains the aforesaid clause and documents are otherwise in order satisfying all statutory requirements.

Accordingly, this Miscellaneous Petition is disposed on the aforesaid terms.

-sd/-

19/12/2019

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.



TO

1 ACCOUNTANT GENERAL (A AND E) TAMIL NADU
OFFICE OF THE ACCOUNTANT GENERAL (A AND E),
TAMIL NADU, 361 ANNA SALAI,
TEYNAMPET, CHENNAI - 600018

2 THE STATE OF TAMIL NADU,
REP. BY ITS PRINCIPAL SECRETARY,
COMMERCIAL TAXES AND EXCISE DEPARTMENT,
FORT ST. GEORGE, CHENNAI

3 THE INSPECTOR GENERAL OF REGISTRATION,
100, SANTHOME HIGH ROAD, MYLAPORE,
CHENNAI, TAMIL NADU 600028

4 THE SUB REGISTRAR,
POONAMALLE, MAGISTRATE COURT COMPLEX,
POONAMALLE, CHENNAI

5 DISTRICT COLLECTOR (STAMPS),
CHENNAI COLLECTORATE BUILDING,
RAJAJI SALAI, CHENNAI

C.C. to M/S. G. VIVEKANAND Advocate, SR.NO.15066

C.C. to M/S. T. RAVIKUMAR Advocate, on payment of unnecessary charges

The Government Advocate, High Court, Madras - 104.

Order
in
WMP.29105/2019
in
WP.NO.29304/2019

Date :19/12/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
SM/08/01/2020 (IT)