



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) Nos.11782 and 11791 of 2015

M.Sundari ... Petitioner in both W.Ps

-Vs-

1.The Special Deputy Collector (Stamps),
Palayamkottai Tashilar Office (Upstairs),
Kokkirakulam, Tirunelveli
Tirunelveli District.

2.The Joint Sub-Registrar - II,
Sub Registrar's Office,
Tirunelveli,
Tirunelveli District.

... Respondents in both W.Ps

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, direction the respondents to release the Sale Deed registered as Document No.9779/2011, 30.12.2011 and Document No.9598/2011, dated 27.12.2011 respectively, to the petitioner.

For Petitioner	: Mr.P.Bala Murugan for
(in both W.Ps)	M/s.Jeyapaul Associates
For Respondents	: Mr.M.Murugan
(in both W.Ps)	Government Advocate

COMMON ORDER

The writ petitioner in these writ petitions seeks return of the petition mentioned documents. It is seen that in view of initiation of proceedings under Section 47(A) of the Stamp Act, the documents have not been released. The registering authority cannot be faulted because, the Hon'ble Division Bench of this Court has categorically held that if 47(A) proceedings are pending, the documents concerned cannot be released. If the 47(A) proceedings have finally concluded, the documents cannot be withheld.



2. With these observations, the writ petitions are disposed of. No costs.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To:

1. The Special Deputy Collector (Stamps),
Palayamkottai Tashilar Office (Upstairs),
Kokkirakulam, Tirunelveli
Tirunelveli District.

2. The Joint Sub-Registrar - II,
Sub Registrar's Office,
Tirunelveli,
Tirunelveli District

+1 cc to The Special Government Pleader Sr.No.53954,53999

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