

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.33490 of 2013

Hotmale Fashions Private Ltd.,
Rep by its Director Mr. Vishal Surana
No.1, N.N. Garden Street,
6th Lane, Chennai - 600 021.

... Petitioner

.vs.

1. Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 600 004.
2. District Registrar,
No.9, Jeans Road,
Saidapet, Chennai - 600 015.
3. The Sub Registrar,
No.246, N.M. Road,
Avadi, Chennai - 600 054.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondent to refund the sum of Rs.1,08,000/- being the excess amount paid to the 3rd respondent with interest at 18% per annum from 20.12.2012 till date of payment in full with costs.

For Petitioners : Mr.V. Bhiman
for M/s.Sampathkumar and Associates

For Respondents : Mr. P.P. Purushothaman,
Government Advocate

O R D E R

The petitioner company has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to refund the sum of Rs.1,08,000/- being the excess amount paid to the 3rd respondent with interest at 18% per annum from 20.12.2012 till date of payment in full with costs.

2. It is the case of the petitioner company that while registering a lease agreement for a period of 29 years on 20.12.2012, they have paid an excess amount of Rs.1,08,000/- towards registration charges, which they are entitled to get refund.

3. In respect of the lease agreement for a period of 29 years, as per the provisions of the Registration Act, the petitioner company is liable to pay only a sum of Rs.20,000/- as registration charges. When the petitioner company have paid a total sum of Rs.1,28,000/- towards registration charges, they are entitled to get refund of the excess amount of Rs.1,08,000/-. In such view of the matter, I direct the respondents to refund the sum of Rs.1,08,000/- being the excess amount paid by the petitioner company, within a period of three weeks from the date of receipt of a copy of this order.

With these observations, the Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 600 004.

2. District Registrar,
No.9, Jeans Road,
Saidapet, Chennai - 600 015.

3. The Sub Registrar,
No.246, N.M. Road,
Avadi, Chennai - 600 054.

+1 cc to Mr.Sampathkumar & Associates Sr.No.27933
+1 cc to the Government Pleader Sr.No.28341

W.P.No.33490 of 2013

pvs (co)
rr ii (09/09/2020)