

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.13910 of 2020 &
WMP.No.17289 of 2020

RUBFILA International Ltd.,
represented by its Managing
Director G.Krishna Kumar,
NIDA, Menonpara Road,
Kanjikode, P.O. Palakkad 678 621
Kerala

... Petitioner

.Vs.

1. The Inspector General of Registration,
Inspector General Office,
No.120, Santhome High Road,
Chennai 600 026.
2. The District Registrar,
District Registrar Office, Palani,
No.9 B, Periyar Salai, Palani HO,
Palani 624 601.
3. The Sub Registrar,
Sub Registrar Office,
Keeranur, Palani.

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Certiorari to call for the records of the 3rd respondent pertaining to the demand notice dated 31.12.2019 and quash the same.

For Petitioner : M/s.P.V.Law Associates

For Respondents: Mr.T.M. Pappiah, Spl. Govt. Pleader

O R D E R

This Writ Petition has been filed challenging the demand notice sent by the 3rd respondent, dated 31.12.2019.

2. Mr.T.M. Pappiah, learned Spl. Govt. Pleader appearing on behalf of the respondents submitted that the petitioner has

already filed an appeal before the Deputy Inspector General of Registration, Madurai on 6.2.2020. The learned counsel further submitted that a direction can be issued to the concerned authority to pass orders within the time limit fixed by this Court.

3. The learned counsel for the petitioner submitted that the demand notice issued by the 3rd respondent is beyond jurisdiction and the 3rd respondent cannot suo-motu demand for the additional stamp duty after the sale deed has been registered in the year 2018. The learned counsel submitted that the 3rd respondent does not have any such suo-motu power to make such a demand.

4. In the considered view of this Court, an appeal has already been filed before the Deputy Inspector General of Registration, Madurai and therefore it will be more appropriate for the petitioner to work out the remedy before the concerned authority and a writ petition cannot be parallelly entertained before this Court. The Deputy Inspector General of Registration, Madurai is directed to consider the appeal filed by the petitioner on 6.2.2020 and pass appropriate orders strictly in accordance with law within a period of four weeks from the date of receipt of a copy of this order. In the meantime, till the orders are passed by the Deputy Inspector General of Registration, Madurai, no recovery shall be made from the petitioner. It is left open to the petitioner to raise all the grounds before the Deputy Inspector General of Registration, Madurai.

5. This Writ Petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
Inspector General Office,
No.120, Santhome High Road,
Chennai 600 026.

2. The District Registrar,
District Registrar Office, Palani,
No.9 B, Periyar Salai, Palani HO,
Palani 624 601.

3. The Sub Registrar,
Sub Registrar Office,
Keeranur, Palani.

4. The Deputy Inspector General of Registration,
Madurai.

+1cc to Mr.P.Valliappan, Advocate, Sr.No.33108

+1cc to the Government Pleader, Sr.No.33300

W.P.No.13910 of 2020 &
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sra (co)
rr ii (10/11/2020)



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