

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 02.03.2020
CORAM
THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
W.P.No.27291 of 2019

Munusamy

..Petitioner

.v.

1.The Revenue Divisional Officer,
Pallavaram, Chennai-43.

2.The Tahsildar,
Pallavaram, Chennai.

... Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 27.03.2017 consequently release his Non judicial stamp paper amount Rs.9000/- within stipulated time.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.Annai Ezhil
Government Advocate

O R D E R

This writ petition has been filed for the issue of Writ of Mandamus, directing the respondents to consider the representation made by the petitioner on 27.03.2017 and to pay the petitioner a sum of Rs.9000/- within the time stipulated by this Court.

2.The case of the petitioner is that he purchased a property in the year 2017. By oversight, he purchased excess non judicial stamp paper of the value of Rs.10,000/-. This stamp paper was returned back by the petitioner. The 1st respondent by his proceedings dated 12.10.2017, directed the 2nd respondent to repay back a sum of Rs.9,000/- [10,000/- -10% commission]. In spite of such a direction given to the 1st respondent, the 2nd respondent did not follow it up and therefore, the petitioner made a representation to the 1st respondent. Even thereafter, the 2nd respondent did not refund the amount. Left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.S.N.Subramani, learned counsel appearing for the petitioner and Mr.Annai Ezhil, learned Government Advocate appearing on behalf of the respondents.

4.The learned Government Advocate appearing on behalf of the respondents submitted that already an amount of Rs.9,000/-, has been sanctioned by the treasury department and that the amount will be paid to the petitioner immediately. In order to substantiate his submission, the learned Government Advocate also produced the relevant records wherein, a sum of Rs.9,000/- has been cleared for refund to the petitioner.

5.Taking into consideration the facts and circumstances of the case and the fact that the treasury department has already sanctioned the repayment of the said amount, there shall be a direction to the 2nd respondent to refund the sum of Rs.9,000/- to the petitioner, within a period of one week from today.

This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy//

Sub Assistant Registrar

KP

To

1.The Revenue Divisional Officer,
Pallavaram,
Chennai-43.

2.The Tahsildar,
Pallavaram, Chennai.

+1cc to Mr.S.N.Subramani, Advocate, SR.No.18445.

GP(CO)
CSR: 03.03.2020

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