

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.2008 of 2021

G.Krishnavel

...Petitioner

Vs

1.The Tahsildar,
Poonamallee Taluk,
Chennai-600 056.

2.The Revenue Divisional Officer,
Thiruvallur District,
Thiruvallur.

3.The District Collector,
Thiruvallur District.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents 1 and 2 to dispose the representation dated 13.02.2017 seeking for refund of stamp duty charges within a time period fixed by this Court

For petitioner

... Mr.M.V.Seshachari

For respondents

... Mr.K.Parameshwaran

Government Advocate

ORDER

सत्यमेव जयते

By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2. Heard Mr.M.V.Seshachari, learned counsel for the petitioner and Mr.K.Parameshwaran, learned Government Advocate accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 & 2 to dispose of the petitioner's representation, dated 13.02.2017 seeking for refund of stamp duty charges, within a time frame to be fixed by this Court.

4. It is the case of the petitioner that after preparation of the settlement deed due to some difficulties, the said settlement deed could not be registered. Hence, the petitioner has sought for refund by surrendering the stamp papers valued at Rs.22,500/-. The petitioner has given a representation on 13.02.2017 to the respondent seeking for refund of stamp duty. Since representation has not been considered the petitioner has filed this writ petition.

5. Mr.K. Parameshwaran, learned Government Advocate appearing for the respondents on instructions would submit that enquiry is fixed on the petitioner's representation, dated 13.02.2017 seeking for refund on 23.02.2021 at 11.00 a.m. He would also submit on instructions that, within a time frame fixed by this Court, the first respondent shall pass final orders on the petitioner's representation, dated 13.02.2017. The learned counsel for the petitioner is also satisfied with the submissions made by the learned Government Advocate for the respondents.

6. After recording the submissions made by the respective counsels, this Court directs the first respondent to consider the representation of the petitioner, dated 13.02.2017 seeking for refund of stamp duty and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving a fair hearing to the petitioner and also enabling the petitioner to provide all necessary documentary proof for claiming the said refund amount.

7. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

vsi2

To

1.The Tahsildar,
Poonamallee Taluk,
Chennai ? 600 056.

2.The Revenue Divisional Officer,
Thiruvallur District,
Thiruvallur.

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3.The District Collector,
Thiruvallur District.

+lcc to Mr.M.V.Seshachari, Advocate, Sr.No.6124

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SR(CO)
KKV/15/03/2021



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