

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2021

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.NO.13462 OF 2016

1.Vallurupalli Prabhu Kishore  
2.Vallurupalli Varun Dev

... Petitioners

Versus

1. The District Collector,  
Office of the District Collector,  
Nilgiris District.  
  
2. The Joint Sub-Registrar,  
Udhagamandalam,  
Nilgiris District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to deliver the Sale Certificate registered as Document No.156 of 2016 within a time to be fixed by this Hon'ble Court without making any reference under Section 47-A of the Indian Stamp Act.

For Petitioners : No appearance

For Respondent - 1 : Mrs.A.Madhumathi  
Special Government Pleader

2 : Mr.P.P.Purushothaman  
Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus directing the respondents to deliver the Sale Certificate which registered as Document No.156 of 2016 within a time to be fixed by this Court without making any reference under Section 47-A of the Indian Stamp Act.

2. In the affidavit filed in support of this petition, the petitioners stated that they purchased the property by way of a Court auction and obtained sale certificate from the authorised

officer in their favour. Though the sale certificate was registered, it appears that an attempt was made by the second respondent to defer the document namely the sale certificate for collecting deficit stamp duty by initiating proceedings under Section 47 A of the Indian Stamp Act. Hence the petitioners came with the present writ petition.

3. Learned Government Advocate appearing for the second respondent has produced before this Court a letter of the second respondent dated 10.02.2021. In the letter it is stated by the second respondent that the petitioners have paid the deficit stamp duty and registration charges and that the original document was also returned to the petitioners. By stating so, learned Government Advocate further submitted that the prayer in the writ petition has become infructuous.

4. Having regard to the prayer and the submission of the learned Government Pleader, this Court finds that it unnecessary to keep the writ petition pending. Since the document namely the sale certificate is returned to the petitioners and the deficit stamp duty and registering charges have been paid by the petitioners, this Writ Petition can be closed as infructuous.

Accordingly, the writ petition is closed as infructuous. No costs.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The District Collector,  
Office of the District Collector,  
Nilgiris District.

2. The Joint Sub-Registrar,  
Udhagamandalam,  
Nilgiris District.

+1cc to the Government Pleader, S.R.No.8267

W.P.No.13462 of 2016

EV(CO)  
CS/23/06/2021