

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2021

CORAM :

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.A.No.2165 of 2018

- 1.The Inspector General of Registration
& Chief Revenue Controlling Authority,
Santhome High Road,
Chennai.
 - 2.The Special Deputy Collector(Stamps),
Salem, Namakkal,Dharmapuri Dts,
Salem Collectorate, Salem.
 - 3.The Joint Sub Registrar II,
Namakkal.
- Vs
- S.Santhi ..Appellants
- ..Respondent

Prayer: Appeal filed under Clause 15 of the Letters Patent Act to set aside the order dated 27.01.2015 made in W.P.No.12074 of 2014.

Prayer in W.P. No 12074 of 2014:Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondents to return the sale deed registered as Document No. 1034 of 2005 on the file of the third respondent to the petitioner without demanding any additional stamp duty under Section 47-A of the Act, within a time frame to be fixed by this court.

For Appellants : Mr.T.M.Pappiah,
Special Government Pleader

For Respondent : Mr.N.Subramanian

JUDGMENT
(Delivered by M.M.SUNDRESH, J.)

The subject matter of the appeal lies in a very narrow compass.

2. The respondent purchased two properties adjacent to each other. As against one property, the proceedings have become concluded by dismissal of SLP(c)Nos. 6011 - 6014 of 2019 dated 07.05.2019, wherein it has been held as follows:

"SLP(C)Nos. 2455-2456/2019, 33473/2018, 6007/2019 & 6008/2019 (Item Nos. 31.1, 31.4, 31.10 & 31.11) are matters, where the deficit stamp duty is either less than rupees one lakh or there is huge delay in preferring the Special Leave Petitions.

We, therefore, see no reason to interfere in these matters. Hence these SLPs are dismissed.

The consequences of the dismissal shall immediately be followed and the document(s), if imputed, shall be returned within next three weeks from today.

Rest of the matter be listed for final disposal on 20.08.2019."

3. Even as against the present appeal, the statutory appeal filed by the respondent was allowed in her favour.

4. Thus, in view of the above, the writ appeal stands dismissed. Consequently, the appellants are directed to return the documents, after completing the formalities, to the respondent, within a period of four weeks from the date of receipt of a copy of this judgment. No costs. C.M.P.No.16786 of 2018 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssm

To:

1.The Inspector General of Registration
& Chief Revenue Controlling Authority,
Santhome High Road,
Chennai.

2.The Special Deputy Collector(Stamps),
Salem, Namakkal,Dharmapuri Dts,
Salem Collectorate, Salem.

3.The Joint Sub Registrar II,
Namakkal.

+lcc to M/s.N.Subramaniyan, Advocate(SR.No 22304)

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JP-II(CO)
RN(07/07/2021)



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