



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

CORAM:

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.17701 of 2021

and

W.M.P. No.18865 of 2021

1. R.R. Arunkumar,
2. R. Ramalingam,
3. R. Ajay Vignesh,
4. R. Sadhana

... Petitioners

-Vs-

1. The Inspector General of
Registration,
Santhome High Road,
Chennai - 600 028.
2. The Joint Sub-Registrar-I,
District Registrar Office Compound,
Erode.

... Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the 1st respondent to dispose the representation of the petitioners dated 27.05.2019, with regard to reduction of registration charges and to pass orders accordingly.

For Petitioners : Mr.S. Kaithamalai Kumaran

For Respondents : Mr. Yogesh Kannadasan
(Government Advocate)

O R D E R

The relief sought for in this writ petition is for a direction to the 1st respondent to dispose the representations of the petitioners dated 27.05.2019, with regard to reduction of registration charges and to pass orders accordingly.



2. The learned counsel for the petitioner would submit that the petitioners 1 to 4 herein have purchased the properties consisting of land with buildings, located in Erode Village in Re-survey No.1373/1C by executing sale deed under document Nos.277/2019, 278/2019, 279/2019 and 280/2019 respectively and the same was approved by the Kasipalayam Municipality on 02.03.2009 vide approval No.294/2008-2009, covered under the parent Sale Deed No.3444 of 2017. After executing the sale deed in favour of the petitioners herein, the 2nd respondent by notice dated 18.01.2019 requested the petitioners to pay an additional amount of Rs.1,19,000/- towards the additional charges for the properties covered under document Nos.277/2019, 278/2019, 279/2019 and 280/2019 respectively. In response to the aforesaid notice, the petitioners herein by letter dated 01.06.2019 has submitted a detailed representation to the 2nd respondent, intimating that the same property was sold to their vendors on 12.07.2017 vide document No.3444 of 2017 with the same value. The Executive Engineer Madurai has made spot inspection at the site and arrived the value of the building for Rs.89,03,272/- and accordingly, order was passed. In the purchased property, the petitioners have not done any civil work including alteration of the property. The said property exists as maintained by their vendors. While being so, the petitioners who are family members have purchased the same property by getting 1/4th share each, within eight months of purchase by their vendors. The exact value of the property which was already paid by petitioners' vendors, has been paid by the petitioners herein in the Registration Office. However, the Executive Engineer has now arrived the value of the building as Rs.1,32,35,643/- instead of Rs.89,03,272/- by increasing the value of the same property with difference amount of Rs.43,32,371/- within a period of eight months. While there is no specific Government order passed to revise the value, each petitioner is directed to pay the difference amount of Rs.1,19,000/- as additional stamp duty towards the building value. The petitioners could not understand the arrival of the value without any basis and any substantive proof of documents. Hence, the petitioners have given separate representations dated 27.05.2019 to the 1st respondent and also to the 2nd respondent, on 14.06.2019. The respondents have also received the same. Even after receiving the representations of the petitioners herein as stated above, till date there is no communication from the respondents to reply for their representations.

3. It has been further submitted that the Government of Tamil Nadu has issued Government Orders in G.O. Ms.No.99, dated 21.09.2015 and amendment G.O.Ms.No.73, dated 11.06.2018 in Personnel and Administrative Reforms (A) Department, mandating the Government Officials to redress the grievances of the



General Public within one month from the date of receipt of their complaint after having issued the acknowledgment within three days and being updated the progress on the complaint. However, as there is no response on the side of the respondents so far, the petitioners altogether who have no other efficacious or alternative remedy except to approach this Hon'ble Court by invoking Article 226 of Constitution of India, have filed the present Writ Petition since the cause of action is same for all the petitioners herein.

4. The learned Government Advocate would submit that even though there is no specific order to revise the value of the property on the side of the Government, the value of the building may be calculated according to alteration or any renovation having carried out in the building. Hence, this Court may be pleased to direct the 1st respondent to assess the value of the property by engaging the authorized valuer.

5. Heard, the learned counsel for the petitioner and the learned Government Advocate for the respondent.

6. Having considered the aforesaid facts and circumstances of this case and submissions made by the learned Government Advocate, the 1st respondent is directed to consider the representations dated 27.05.2019 made by the petitioners herein and pass appropriate orders within a period of twelve weeks from the date of receipt of copy of this order after inspecting the said property with the help of the authorized valuer.

7. With the aforesaid directions, this Writ petition is allowed. Consequently, connected miscellaneous petition is closed if any. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

Lbm



To:

1. The Inspector General of
Registration,
Santhome High Road,
Chennai - 600 028.

2. The Joint Sub-Registrar-I,
District Registrar Office Compound,
Erode.

+1cc to M/s.S.Kaithamalai Kumaran, Advocate, S.R.No.43433

+1cc to the Government Pleader, S.R.No.43082

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RR(CO)
SU(27/09/2021)