



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.20213 OF 2021

K.A.Gopinath

... Petitioner

vs.

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

2. The Special Deputy Collector Cum
District Revenue Officer (Stamps),
Chennai.

3. The Sub-Registrar,
Madavaram,
Chennai.

... Respondents

Prayer:

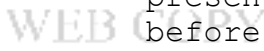
Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to release the settlement deed dated 22.03.2021 registered as Document No.2315/2021 Pursuant to the Proceedings of the District Revenue Officer (Stamps) vide proceeding No.PA.MU.CI.PA.No.699/21 dated 04.05.2021 and 11.06.2021 respectively within the stipulated time as that may fixed by this Court.

For Petitioner : Mr.G.Vinoth

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the respondents to release the settlement deed dated 22.03.2021 registered as Document No.2315/2021 pursuant to the proceedings of the District Revenue Officer (Stamps) vide proceedings No.PA.MU.CI.PA.No.699/21 dated



2. It is the case of the petitioner is that the petitioner presented the settlement deed dated 22.03.2021 for registration before the third respondent. On receipt of the same, it was registered as Document No.2315/2021. Thereafter, the third respondent referred the same under Section 47-A(1) of the Indian Stamp Act, 1899 for deficit stamp duty. The second respondent by the communication dated 11.06.2021 directed the petitioner to pay deficit stamp duty at Rs.1,10,700/-. Accordingly, the petitioner paid the deficit stamp duty as ordered by the second respondent. Even then, the document is not released by the third respondent.

As per the above calculations, totally a sum of Rs.44,63,792/- is due as deficit stamp duty and deficit registration fees.

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4. Under these circumstances, the property cannot be released without paying the deficit stamp duty and deficit registration fees. Therefore, this Writ Petition is devoid of merits and it is liable to be dismissed. Accordingly, the writ petition is dismissed. However, the third respondent is directed to make a demand with regard to the deficit stamp duty and deficit registration fees to the petitioner in the manner known to law. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

dm

To

1. The Inspector General of Registration,
Chennai - 600 028.
2. The Special Deputy Collector Cum
District Revenue Officer (Stamps),
Chennai.
3. The Sub-Registrar,
Madavaram,
Chennai.

+2ccs to Mr.N.Umapathi, Advocate, S.R.No.62378
+1cc to the Government Pleader, S.R.No.62610

W.P.No.20213 of 2021

RSI (CO)
PM/15/12/2021