



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.25515 of 2021

K.Kumar

... Petitioner

Vs

The District Registrar(Admin),
Chennai Central,
Bharathi Salai,
Triplicane,
Chennai 600 005

... Respondent

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to refund the amount of Rs.11,55,000/- paid towards stamp duty and Rs.1,65,300/- paid towards registration fees in respect of pending No.287 of 2016 on the file of Sub Registrar, Anna Nagar together with interest at the rate of 12% per annum.

For Petitioner : Mr.K.Kumar

For Respondent : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

This writ petition is filed for direction directing the respondent to refund the amount of Rs.11,55,000/- paid towards stamp duty and Rs.1,65,300/- paid towards registration fees in respect of pending No.287 of 2016 on the file of Sub Registrar, Anna Nagar together with interest at the rate of 12% per annum.

2. Heard, Mr.K.Kumar, the learned counsel for the petitioner, and Mr.Yogesh Kannadasan, Special Government Pleader appearing for the respondent.

3. The case of the petitioner is that the petitioner presented sale deed for registration on 04.11.2016 in favour of



one, Chandra Srinivasan and Kapila Vasudevan represented through their power of attorney before the Sub Registrar, Anna Nagar. The petitioner also paid a sum of Rs.11,55,000/- towards stamp duty and paid a sum of Rs.1,65,300/- towards registration fees. However, the Sub Registrar, Anna Nagar on receipt of the said sale deed, kept the same pending in pending document No.287 of 2016. Further, the Sub Registrar, Anna Nagar represented that he will send the document under Section 47A of the Registration Act to fix valuation of the property and to get clarification from the District Registrar with regard to whether power of attorney can register sale deed on his own as a purchaser. However, the petitioner received the pending document without registration and registered a fresh sale deed in respect of the said property in favour of his son by the registered sale deed dated 15.06.2020 registered vide document No.1751 of 2020 on the file of the Sub Registrar, Anna Nagar on payment of requisite stamp duty and registration fees. Therefore, the petitioner made representation before the respondent to refund the stamp duty and the registration charges which were paid by him on presentation of sale deed for registration.

4. Considering the above, the respondent is directed to consider the representation of the petitioner dated 21.04.2021 after giving him opportunity of hearing and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of. No order as to costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

lok
To

The District Registrar(Admin),
Chennai Central, Bharathi Salai,
Triplicane, Chennai 600 005.

1cc to Mr.K.Kumar, Advocate Sr.62830
+1cc to the Government Pleader Sr.63439

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srg 15/12/2021