



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

CORAM

THE HON'BLE Mr. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.33274, 33276 & 33278 of 2019 and
WMP.Nos.33735, 33737 & 33739 of 2019

WP.No.33274 of 2019

A.Murthy
Rep. by his power holder,
N.Karnal

...Petitioner

Vs

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road, Mylapore, Chennai

2.The District Registrar(Administration),
Vellore Registration District,
Vellore District

3.The Special Deputy Collector(Stamps),
Vellore, Vellore District

4.The District Collector,
Vellore, Vellore District

5.The Sub Registrar,
Joint-1, Vellore,
Vellore District

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the third respondent herein to release the sale deed registered on 16.10.1998 vide document No.5504 of 1998 dated 16.10.1998 of the petitioner.

For Petitioner : Mr.A.Vimal Raj

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

WP.No.33276 of 2019

R.Prema

... Petitioner



WEB COPY

Vs

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road, Mylapore, Chennai

2.The District Registrar(Administration),
Vellore Registration District,
Vellore District

3.The Special Deputy Collector(Stamps),
Vellore, Vellore District

4.The District Collector,
Vellore, Vellore District

5.The Sub Registrar,
Joint-1, Vellore,
Vellore District

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the third respondent herein to release the sale deed registered on 16.10.1998 vide document No.5503 of 1998 dated 16.10.1998 of the petitioner.

For Petitioner : Mr.A.Vimal Raj

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

WP.No.33278 of 2019

N.Karnal

...Petitioner

Vs

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road, Mylapore, Chennai

2.The District Registrar(Administration),
Vellore Registration District,
Vellore District

3.The Special Deputy Collector(Stamps),
Vellore,
Vellore District



4. The District Collector,
Vellore, Vellore District

5. The Sub Registrar,
Joint-1, Vellore,
Vellore District

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the third respondent herein to release the sale deed registered on 16.10.1998 vide document No.5505 of 1998 dated 12.10.1998 of the petitioner.

For Petitioner : Mr.A.Vimal Raj

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

COMMON ORDER

All the writ petitions are filed for direction directing the third respondent herein to release the sale deed registered on 16.10.1998 vide document Nos.5503, 5504 & 5505 of 1998 dated 16.10.1998, 16.10.1998 & 12.10.1998, which were impounded by the fifth respondent herein.

2. The petitioners had purchased their respective properties and presented the same for registration. The same were registered as document Nos.5503, 5504 & 5505 of 1998 dated 16.10.1998, 16.10.1998 & 12.10.1998. However, the sale deeds were not released.

3. Heard, Mr.A.Vimal Raj, the learned counsel for the petitioners, and Mr.Yogesh Kannadasan, Special Government Pleader appearing for the respondents.

4. On perusal of the counter filed by the fifth respondent revealed that the value set forth in the sale deeds were grossly undervalued and as such the fifth respondent referred the sale deeds to the third respondent under Section 47 A(1) of the Indian Stamp Act, 1899 for determination of true market value of the properties in question. The third respondent determined the true market value by confirming the recommendation of the fifth respondent by order dated 30.03.2012 under Rule 7 of the Tamilnadu Stamps (Prevention of undervaluation of Instruments) Rules, 1968.

5. In fact, the petitioners by their respective letters dated 08.05.2018, agreed to pay the deficit stamp duty on receipt of letter issued by the third respondent dated 13.04.2018. However, the petitioners neither paid deficit stamp



duty nor filed any appeal as contemplated under Section 47A(5) of the Indian Stamp Act, 1899. Therefore, all the writ petitions are devoid of merits and liable to be dismissed.

6. Accordingly, all the writ petitions are dismissed. However, the petitioners are at liberty to file appeal as against the order passed by the third respondent in the manner known to law. Consequently, connected miscellaneous petitions are closed. No order as to costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road, Mylapore, Chennai
2. The District Registrar(Administration),
Vellore Registration District,
Vellore District
3. The Special Deputy Collector(Stamps),
Vellore,
Vellore District
4. The District Collector,
Vellore,
Vellore District
5. The Sub Registrar,
Joint-1,
Vellore,
Vellore District

+1cc to the Government Pleader, S.R.No.62994

W.P.Nos.33274, 33276 & 33278 of 2019

RSI (CO)
CT/14/12/2021