



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.7693 of 2021

and

W.M.P. (MD) .No.5852 & 5853 of 2021

D.Senthilkumar

... Petitioner

Vs.

1. The Special Deputy Collector (Stamps),
Virudhunagar.

2. The Sub-Registrar,
Manamadurai, Sivagangai District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records vide first respondent proceedings in Na.Ka.T.P.S2/354/2020, dated 01.03.2021 and quash the same and directing the second respondent to release the petitioner's pending document in No.3361/2013, within stipulated time frame fixed by this Court.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondents : Mr.K.Sathiyasingh
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent through proceedings dated 01.03.2021 and take a consequential direction to the second respondent to release the pending document.

2. Heard Mr.RM.Arun Swaminathan, learned counsel appearing for the petitioner and Mr.K.Sathiya Singh, learned Additional Government Pleader appearing for the respondents.

3. In the considered view of this Court, the petitioner has an effective efficacious alternative remedy of appeal before the Inspector General of Registration under Section 47 A (5) of the Stamp Act, 1899. In view of the same, this Court cannot exercise its jurisdiction under Article 226 of the Constitution of India. It is left open to the petitioner to raise all the grounds before the



Appellate Authority and work out his remedy in accordance with law. The Appellate Authority shall dispose of the appeal within a period of three months from the date of receipt of filing of the appeal.

4. This Writ Petition stands disposed of accordingly. The Registry is directed to return back the original impugned order passed by the first respondent to enable the petitioner to file an appeal before the concerned Authority.

5. The Writ Petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Tsg

To

1. The Special Deputy Collector (Stamps),
Virudhunagar.
2. The Sub-Registrar,
Manamadurai, Sivagangai District.

+1 CC to M/s.ADDL GP (SR-15795[F] dated 15/04/2021)

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

Order made in
W.P. (MD) .No.7693 of 2021
Dated:
09.04.2021

RK (20.04.2021) 2P 4C