



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.04.2021**
CORAM

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

W.P. (MD)No.20486 of 2014

V.S.Murugan

.. Petitioner

Vs.

1.The Special Deputy Collector (Stamps),
Collector Office Complex,
Tirunelveli.

2.The Sub-Registrar,
Joint Sub-Registrar Office-I,
Melapalayam, Tirunelveli.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to release the sale deed bearing Document No.5991 of 2014 registered on 26.09.2014 on the file 2nd respondent in respect of the land covering in Survey No.489/2 in Kulavanigarpuram Village, Tirunelveli District measuring an extent of 2 and 28 cents.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.K.Sathiyasingh,
Addl. Government Pleader.

ORDER

The petitioner sought for the release of the sale deed, which was registered on the file of the second respondent.

2. According to the petitioner, the second respondent has already referred the document under Section 47(A) of the Indian Stamp Act, on the ground of under valuation and the petitioner has also received a notice from the concerned authority and he has given a reply.

3. It is now a well settled law that where the proceedings are initiated under Section 47(A) of the Indian Stamp Act, the document cannot be returned by issuing directions in exercise of jurisdiction under Article 226 of the Constitution of India.



4. The document in question shall be returned depending upon the result of the proceedings initiated under Section 47(A) of the Indian Stamp Act.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

To

1.The The Special Deputy Collector (Stamps),
Collector Office Complex,
Tirunelveli.

2.The Sub-Registrar,
Joint Sub-Registrar Office-I,
Melapalayam, Tirunelveli.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-16587[F] dated 20/04/2021)

+1 CC to M/s.AGP (SR-16705[F] dated 20/04/2021)

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