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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.6155 OF 2022
W.M.P.NO.6226 OF 2022

M.Chandraboss

... Petitioner

Vs.

1. The Sub-Registrar,
Virugambakkam, Sub-Registration District,
Arcot Road, Virugambakkam,
Chennai - 93

2. Samuvel

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records in proceedings dated 24.01.2021 in Notice No.2 on the file of the first respondent and quash the same and consequently direct the first respondent to release the document in document no.P431/2021 dated 27.12.2021.

For petitioner : Mr.B.Manoharan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this petition to issue a Writ of Certiorarified Mandamus calling for the records in proceedings dated 24.01.2021 in Notice No.2 on the file of the first respondent and quash the same and consequently direct the first respondent to release the document in document no.P431/2021 dated 27.12.2021.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader



takes notice for the first respondent. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

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3. Since, no adverse order is being passed against the second respondent, notice to the second respondent is dispensed with.

4. The case of the petitioner is that the petitioner had purchased the property jointly with the second respondent. Thereafter, due to some misunderstanding between them, the petitioner had filed a suit in O.S.No.210 of 2016 on the file of Sub-Court, Poonamallee, and said suit was settled in Lok Adalat on 17.02.2014, for registering the said Lok Adalat Award, the first respondent had passed an impugned order demanding deficit of Rs.29,785/- as Stamp Duty and Registration Charges. Challenging, the same the present writ petition has been filed by the petitioner.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that either the petitioner or the second respondent will pay the deficit amount mentioned in the impugned order within a period of two weeks.

6. The learned Special Government Pleader appearing for the respondents submits that the document may be released upon the payment of the deficit amount, within the time frame that may be fixed by this Court.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the petitioner to pay the deficit amount mentioned in the impugned order within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the document may be released, liberty is granted to the petitioner to recover the money if he paid on behalf of the second respondent and petitioner is at liberty to work out his remedy in the manner known to law.

8. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

tri/jd

Sub Assistant Registrar



To

The Sub-Registrar,
Virugambakkam, Sub-Registration District,
Arcot Road, Virugambakkam,
Chennai - 93.

+1cc to the Government Pleader, S.R.No.23659

W.P.No.6155 of 2022

W.M.P.6226 of 2022

PL (CO)
PM/22/04/2022