



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.Nos.5875 to 5878 of 2018 and
W.M.P.No.7215 of 2018

W.P.No.5875 of 2018

A.L.Shah

... Petitioner

Vs.

The Deputy Collector (Revenue) North,
(Collector under the Indian Stamps Act),
Government of Pondicherry,
Pondicherry.

... Respondent

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records of the respondents bearing No.9934/DC(R)N/Rev/C2/DSD/2005, dated 19.01.2006, quash the same only in so far as the demand for interest is concerned, consequently direct the respondent to refund forthwith to the petitioner the sum of Rs.45,365/- collected towards interest.

W.P.No.5876 of 2018

L.M.Shah (Deceased) rep by his Power of Attorney

A.L.Shah S/o L.M.Shah

(P2 substituted as LR of

deceased sole petitioner

vide order dated 9.3.22 made

in WMP No.4882/22 in W.P.No.5876 of 2018)

... Petitioner

Vs.

The Sub Registrar,
Oulgaret,
Pondicherry.

... Respondent

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the



respondents to return forthwith to the petitioner the 5 original sale deeds described fully in the schedule to the writ petition.

W.P.No.5877 of 2018

A.L.Shah

.. Petitioner

Vs.

The Sub Registrar,
Oulgaret,
Pondicherry.

.. Respondent

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to return forthwith to the petitioner the original sale deed dated 31.03.2000, registered as Document No.3247 of 2000 in the office of the respondent.

W.P.No.5878 of 2018

L.M.Shah (Deceased) rep by his Power of Agent

A.L.Shah S/o L.M.Shah

(P2 substituted as LR of

deceased sole petitioner

vide order dated 9.3.22 made

in WMP No.4884/22 in W.P.No.5878 of 2018)

.. Petitioner

Vs.

The Deputy Collector (Revenue) North,
(Collector under the Indian Stamps Act),
Government of Pondicherry,
Pondicherry.

.. Respondent

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records of the respondent calling for the records of the respondent bearing No.9934/DC(R)N/Rev/C2/DSD/2005, dated 19.01.2006, quash the same only in so far as the demand for interest is concerned, consequently direct the respondent to refund forthwith to the petitioner the sum of Rs.6,96,070/- collected towards interest.



For Petitioner : Mr.K.Ravi
in all the WPs for M/s.Rugan and Arya

For Respondent : Mr.Balamurugan
in all the WPs G.A.(Pondy)

C O M M O N O R D E R

This writ petition has been filed challenging the order passed by the respective respondent directing the petitioner to pay stamp duty.

2. Mr.K.Ravi, learned counsel appearing for the petitioner would submit that now the petitioner has paid the entire stamp duty as demanded by the respondent along with interest and the respondent may be directed to register and return the documents to the petitioner.

3. Earlier, notice has been ordered to the respondent and today the learned Government Advocate (Pondy) appeared for the respondent and submitted that even though the petitioner has paid the entire stamp duty along with interest, the original documents were found missing in the Sub Registrar Office and now the Sub Registrar, Oulgaret, has prepared a certified copy of the sale deed and also made an endorsement that it should be treated as original document and the petitioner can receive the said document from the Sub Registrar, Oulgaret. The learned Government Advocate also submitted that all the documents are with him and if the learned counsel appearing for the petitioner is willing, he will hand over the same to him, accordingly the learned Government Advocate (Pondy) handed over all the registered documents to the learned counsel appearing for the petitioner.

4. In view of the above, nothing remains for adjudication in the writ petitions and accordingly all the writ petitions are closed. Consequently the connected miscellaneous petition is also closed. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



kk

To

WEB COPY

1. The Deputy Collector (Revenue) North,
(Collector under the Indian Stamps Act),
Government of Pondicherry,
Pondicherry.
2. The Sub Registrar,
Oulgaret,
Pondicherry.

+1cc to the Government Pleader Sr.23686

W.P.Nos.5875 to 5878 of 2018
and W.M.P.No.7215 of 2018

bp[co]
srg 17/05/2022