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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.06.2022

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.14444 of 2022

S.Udayakumar

...Petitioner

Vs.

The Chief Controlling Revenue Authority
Chennai South /Inspector General of Registration
Mylapore, Chennai.

...Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the Respondent to dispose of the Appeal preferred by me to set-aside the certificate dated 11.01.2022 issued by the Deputy Registrar (Administration), Deputy Inspector General of Registration, Coimbatore under Section 33-A(1) of the Indian Stamp Act, 1899 levying Rs.99,976/- (Rupees Ninety Nine Thousand Nine Hundred and Seventy Six only) as additional stamp duty payable by the Petitioner on the pending document No. P46/2021 dated 08.04.2021 on the file of SRO Pellamedu within the time fixed by the Court.

For Petitioner : Mr. G.Vijayakumar

For Respondent : Mr. Yogesh Kannadasan

Special Government Pleader

O R D E R

Mr. G.Vijayakumar, learned counsel for the Petitioner and Mr. Yogeshkannadasan, Learned Special Government Pleader takes notice for the Respondent. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. This Writ Petition has been filed seeking a direction to the Respondent to dispose of the Appeal preferred by me to set-aside the certificate dated 11.01.2022 issued by the Deputy Registrar (Administration), Deputy Inspector General of Registration, Coimbatore under Section 33-A(1) of the Indian



Stamp Act, 1899 levying Rs.99,976/- (Rupees Ninety Nine Thousand Nine Hundred and Seventy Six only) as additional stamp duty payable by the Petitioner on the pending document No. P46/2021 dated 08.04.2021 on the file of SRO Pellamedu within the time fixed by the Court.

3. The case of the petitioner is that the petitioner had entered into a construction agreement dated 28.08.2020 registered as document No.2604 of 2020 on the file of the Sub Registrar, Pellamedu and the same was registered as document No.2605 of 2020. Thereafter, the petitioner had immediately executed a rectification deed dated 08.04.2021 before the Sub Registrar, Pellamedu and the Sub Registrar has forwarded the said deed to the Deputy Registrar (Administration) under Section 33-A of the Indian Stamp Act, 1899, for which, the petitioner called for an enquiry. The District Registrar, vide its order dated 11.01.2022, directed the petitioner to pay a sum of Rs.99,976/-. Challenging the same, the petitioner preferred an appeal to set-aside the certificate dated 11.01.2022 issued by the Deputy Registrar (Administration), Coimbatore as additional stamp duty payable by the petitioner and the same is pending. Therefore, the petitioner has filed the present petition seeking a direction to the respondent to dispose of the appeal.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondent to dispose of the appeal filed by the petitioner within the stipulated time as fixed by this Court.

5. Considering the facts and circumstances of the case and the limited request made by the petitioner, this Court directs the respondent to consider the petitioner's appeal and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

rli



To

The Chief Controlling Revenue Authority
Chennai South /Inspector General of Registration
Mylapore, Chennai.

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+1cc to the Government Pleader, S.R.No.34863

W.P.No.14444 of 2022

GP[co]

NSK/06/07/2022