



W.P.No.31771 of 2022

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue an order or direction or writ, more particularly writ of Mandamus to direct the respondents to release the gift deed document pursuant to the petitioner's representation cum explanation dated 17.12.2021.

For Petitioner : M/s.R.Thirumoorthy

For Respondents : Mr.C.Kathiravan,
Special Government Pleader

ORDER

The present petition has been filed seeking a direction to the respondents to release the gift deed document based on the representation/explanation dated 17.12.2021 made by the petitioner.

2. Mr.C.Kathiravan, learned Special Government Pleader takes notice for respondents.

3. It is the case of the petitioner that he was given the subject property vide the gift deed dated 03.11.2021 registered as document No.4926 of 2021. The said deed was placed for registration before the 2nd respondent on payment of necessary stamp duty and registration charges as



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per the guide value, however, the same is kept pending on the file of the 2nd respondent on account of insufficient stamp duty. While being so, the 1st respondent had issued notice to the petitioner, pursuant to which, the petitioner made a representation cum explanation dated 17.12.2021 to the 1st respondent, requesting for release of the above said document. However, till date, no orders have been passed on the same. Hence, the present petition has been filed.

4. Learned counsel for the petitioner submits that this Court may issue a direction to the 1st respondent to consider the representation dated 07.09.2022 made by the petitioner requesting for release of the gift deed which was placed for registration.

5. Learned Special Government Pleader appearing for the Respondent submits that 47 A proceedings have been initiated for collection of deficit stamp duty.

6. In view of the aforesaid submissions, this Court without going



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into the merits of the case, directs the 1st respondent to conclude the proceedings initiated under Section 47A of the Registration Act on the representation dated 07.09.2022 made by the petitioner requesting release of the subject document and pass appropriate orders on the same in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as to the aggrieved parties if any, within a period of twelve weeks from the date of receipt of a copy of this order,

7. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No costs.

29.11.2022

NHS

Index : Yes / No

Internet : Yes / No



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To

WEB COPY

1. The District Revenue Officer,
O/o District Revenue Office,
(Stamp paper)
District Collector Office, 5th Floor,
Singaravelan Maligai,
32, Rajaji Salai,
Chennai-600 001.
2. The Sub-Registrar,
O/o Sub Registrar office,
In the cadre of District Registrar,
Anna Nagar, Chennai-37

M.DHANDAPANI, J.



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