



WEB COPY



W.P.No.23660 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

W.P.No.23660 of 2017

M.V.Praveen Kumar
represented by his Power Agent
M.Vijaya Kumari

... Petitioner

Vs.

1.The Chief Revenue Controlling Officer-
cum-Inspector General of Registration,
No.120, Santhome High Road,
Chennai – 600 028.

2.The District Revenue Officer (Stamps)
District Collector Office, 5th Floor,
M.Singaravelar Maaligai,
No.32, Rajaji Salai,
Chennai – 600 001.

3.The Sub-Registrar,
Thiruvallur,
Taluk Office Complex,
Thiruvallur Town and Taluk.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records of the Chief Revenue Control Officer-Cum-Inspector General of Registration, Chennai 600 028, the first respondent herein made in his proceedings in Pa.Mu.No.49226/N1/2015 dated 04.10.2016, confirming the order of The



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District Revenue officer (Stamps), Chennai, the second respondent herein in his proceedings in Na.Ka.Chi.Pa.No.104/15/A4 dated 30.09.2015 and to quash the same and consequently direct the 1st respondent to refund the excess Stamp duty of Rs.11,50,000/- paid under protest with the 2nd and 3rd respondents.

For Petitioner : Mr.P.Chandrasekar

For Respondents : Mrs.N.Senthil Selvi
Government Advocate

ORDER

This writ petition is filed for issuance of a writ of certiorarified mandamus to quash the impugned order passed by the 1st respondent, dated 04.10.2016, in an appeal filed by the petitioner under Section 47(A)(5) of the Indian Stamp Act, 1899.

2.However, it is now admitted by the learned counsel for the petitioner that, under Sub-Section (10) of Section 47(A) of the Indian Stamp Act, 1899, an appeal lies as against the impugned order, before this Court. Therefore, this writ petition is dismissed, granting liberty to the petitioner to prefer a statutory appeal, as contemplated under the provisions of the Act. While calculating the period of limitation, it is open to the petitioner to seek



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exclusion of the period during which this writ petition is pending before this

Court. No costs.

14.10.2022

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order

To

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cum-Inspector General of Registration,
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Chennai – 600 028.

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S.S. SUNDAR, J.

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