

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20276 of 2022
and
W.M.P.(MD)No.14718 of 2022

S.Anand

... Petitioner

Vs.

The Inspector General of Registration,
Registration Department,
Having Office at
100, Santhome High Road,
Mullima Nagar,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai 600 028.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in proceedings No.49948/E1/2014 dated 22.07.2022 and to quash the same as illegal and to consequently direct the respondent to consider the claim of the petitioner in consideration with the documentary proofs submitted by the petitioner and thereafter pass appropriate orders on merits.

For Petitioner : Mr.K.R.Nishanth

For Respondent : Mr.J.K.Jayaseelan,
Government Advocate.

ORDER

Heard the learned counsel on either side.

2.The impugned order has been passed by the respondent under Section 47A(6) of the Stamp Act. The learned counsel for the petitioner states that this order has been passed without jurisdiction and in blatant violation of the principle of natural justice. His pointed contention is that beyond the period of five years, the Inspector General of Registration cannot *suo motu* revise any order passed under Section 47A of the Act. On these grounds, he wants to maintain the present writ petition.

3.The contentions advanced by the learned counsel for the petitioner do appear having considerable force. Yet as rightly pointed out by the learned Government Advocate for the respondent, only an appeal under Section 47A(10) of the Act will lie before this Court and a writ petition will not lie.

4.Granted liberty to the writ petitioner to file a civil miscellaneous appeal, this writ petition is dismissed as not maintainable. The Registry is directed to return the original impugned order to the learned counsel for the

writ petitioner after the same is duly substituted by photocopy. No costs.

Consequently, connected miscellaneous petition is closed.

30.08.2022

Index : Yes / No

Internet : Yes/ No

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To:

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Registration Department,
Having Office at
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G.R.SWAMINATHAN, J.

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