



W.P(MD)No.2297 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.2297 of 2015

and

M.P(MD)No.2 of 2015

1.Arunachalam
2.Muneeswaran

... Petitioners

Vs.

1.The Chief Controlling Revenue,
Authority and Inspector General
of Registration,
Santhome High Road,
Chennai – 28.

2.The Special Deputy Collector (Stamps),
District Collector Campus,
Madurai District.

3.The District Registrar,
Dindigul.

4.The Sub Registrar,
Nilakottai Taluk,
Dindigul District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the fourth respondent to release the sale deed, dated 09.07.2004, bearing document No.1257/2004 registered in petitioner's name in respect of the property comprised in S.No.635/12, Nilakottai Taluk, Dindigul District on the basis of the representations, dated 20.12.2014 and 30.09.2010.

For Petitioners : Mr.R.G.Sankar Ganesh

For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

The present Writ Petition has been filed for a Writ of Mandamus, directing the registration authorities to release the sale deed, dated 09.07.2004, in bearing document No.1257/2004 on the file of the fourth respondent herein. It is admitted by either side, that the proceedings under Section 47-A of the Indian Stamp Act were initiated and orders have been passed by the first respondent herein. As against the orders passed by the first respondent herein, the petitioner has filed C.M.A(MD)No.311 of 2011 and an order of interim stay has been granted. Hence, 47-A proceedings are yet to come to a finality. In such circumstances, this Court cannot direct the authorities to release the



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document, unless the entire deficit stamp duty is paid.

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2. In view of the said legal position, the writ petition is closed with liberty to the writ petitioners to approach the fourth respondent herein for release of the said document, after disposal of C.M.A(MD)No.311 of 2011 and the necessary charges are paid as per the orders in C.M.A(MD)No.311 of 2011.

3. With the above said observation, the writ petition stands closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

30.09.2022

Index : Yes / No
Internet : Yes / No
btr

To

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R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.2297 of 2015

30.09.2022