



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.2057 of 2017

K.C.Arokiyasamy

... Petitioner

Vs

1.The Sub Collector (Stamps)
Office of the District Collector,
Trichy.

2.The District Registrar,
Registration Department,
Trichy.

3.The Sub Registrar,
Registration Department,
Manapparai,
Trichy District.

... Respondents

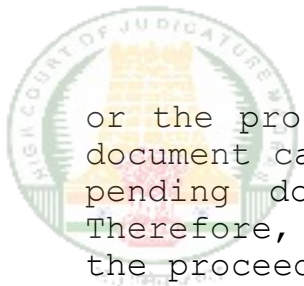
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the third respondent to release the sale deed, dated 04.10.2000 bearing document No.2824 of 2022 within a time frame fixed by this Court based on the petitioner's representations, dated 28.11.2016 and 27.12.2016.

For Petitioner : Mr.B.Prahalad Ravi
For Respondents : Mr.J.K.Jeyaseelan
Government Advocate

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate appearing for the respondents.

2. The petitioner had purchased the petition mentioned property. However, the sale deed could not be released because of the non-payment of deficit stamp duty. An appeal is presently pending before the first respondent. The Hon'ble Division Bench in **(2017) 5 LW 212 (The Special Deputy Collector (Stamps) & Others Vs M.Alfred & others)**, had held that till the disposal of the appeal



or the proceedings under Section 47-A of the Indian Stamp Act, the document cannot be returned and until that, it can be kept only as a pending document. I am squarely bound by the said decision. Therefore, the petitioner has necessarily to await the outcome of the proceedings under Section 47-A of the Stamp Act.

WEB COPY

3. The first respondent is directed to conclude the proceedings on merit and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

4. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

mga

To

1.The Sub Collector (Stamps)
Office of the District Collector,
Trichy.

2.The District Registrar,
Registration Department,
Trichy.

3.The Sub Registrar,
Registration Department,
Manapparai,
Trichy District.

+1 CC to M/s.SPL.GP (SR-25082[F] dated 10/06/2022)

W.P. (MD)No.2057 of 2017

08.06.2022

KMV(CO)

GC(05.07.2022) 2P 5C