



WEB COPY



W.P. No.1966 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.1966 of 2023

Sumathi

... Petitioner

Vs.

The Chief Controlling Revenue Authority/  
Inspector General of Registration,  
Santhome, Chennai.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent herein to number the appeal filed by the petitioner on 20.10.2022 and dispose the same.

For Petitioner : Mr.L.P.Balajiram

For Respondent : Mr.P.Sathish  
Additional Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondent herein to number the appeal filed by the petitioner on 20.10.2022 and dispose the same.

2. The petitioner has filed an appeal before the respondent under



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Section 47-A(5) of the Indian Stamp Act as early as on 20.10.2022. In this regard it is the grievance of the petitioner as espoused by the learned counsel appearing for the petitioner that, though the said appeal has been filed in October 2022, so far it has not been taken on file and no number and no summons has been issued either to the appellant or to the respondent in the said appeal and therefore seeking a writ of mandamus to take up the appeal and decide it at an early date on merits, the petitioner has moved the present writ petition, he contended.

3. Heard Mr.P.Sathish, learned Additional Government Pleader appearing for the respondent who would submit that, the said appeal filed by the petitioner dated 20.10.2022 would be taken on file and after issuing summons to both sides and after hearing both of the parties i.e. the petitioner as well as the Sub Collector, Nagapattinam or on his behalf the appeal would be decided on merits and in accordance with law at an early date that may be stipulated by this Court.

4. Having regard to the said submissions made by the learned Additional Government Pleader for the respondents and taking into account the innocuous nature of the prayer sought for in this writ



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petition, this Court is inclined to dispose of this writ petition with the

following orders:

There shall be a direction to the respondent to entertain the appeal filed by the petitioner on 20.10.2022 under Section 47-A(5) of the Indian Stamp Act and after hearing the petitioner as well as the official concerned who are shown as the respondent in the said appeal, on merits and in accordance with law, decide the same and pass final orders thereon within a period of eight weeks from the date of receipt of a copy of this order.

5. With this direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No

Speaking Order : Yes / No

SglTo

The Chief Controlling Revenue Authority/  
Inspector General of Registration,  
Santhome, Chennai.



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R.SURESH KUMAR, J.

Sgl

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