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W.P.No.6609 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6609 of 2023

K.Natarajan

...Petitioner

Vs

- 1.The District Revenue Officer (Stamp),
Collector Office Campus,
Coimbatore District,
Coimbatore.
- 2.The Special Tahsildar (Stamp),
Tahsildar Office,
Dharapuram, Tiruppur District.
- 3.The Sub-Registrar,
Vellakovil Sub-Registrar Office,
Vellakovil, Tiruppur District.
- 4.The Inspector General of Registration
and the Chief Controlling Revenue Authority,
No.120, Santhome High Road,
Chennai - 600 028.

*(R4 impleaded vide order dated
21.03.2023 made in W.M.P.No.8155
of 2023 in W.P.No.6609 of 2023)*

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to release the sale deed dated 19.09.2020 registered as Document No.4667/2020 on the file of the 3rd respondent pertaining to the property measuring 3.66 Acres comprised in Survey No.251/4 situated at Velampalayam Village, Kangeyam Taluk, Tiruppur District.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in the present Writ Petition is for a direction to the respondents to release the sale deed dated 19.09.2020 registered as Document No.4667/2020 on the file of the 3rd respondent pertaining to the property in Survey No.251/4 situated at Velampalayam Village, Kangeyam Taluk, Tiruppur District.



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3. The learned counsel for the petitioner submitted that the second respondent herein, through the letter dated 25.08.2022, had directed the petitioner to pay the deficit stamp duty, together with interest. As against the said order, the petitioner herein had preferred an appeal before the first respondent on 14.11.2022, which has not been considered till date.

4. It is needless to point out that whenever a statutory appeal is preferred before the Appellate Authority, there is a duty cast on them to dispose of the appeal expeditiously. Non-compliance of such a responsibility would amount to dereliction of duties and this Court would be justified in directing the authority to dispose of the appeal within a stipulated time, in exercise of its powers under Article 226 of Constitution of India.

5. In the light of the above observations, there shall be a direction to the fourth respondent herein to dispose of the petitioner's appeal petition dated 14.11.2022, if not already disposed of, after giving due opportunity to the petitioner, as well as all the other persons who may be interested in the subject property, on its own merits and in accordance



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with law, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

21.03.2023

Index:Yes/No

Speaking order/Non-speaking order

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To

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M.S.RAMESH,J.

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