



WEB COPY

W.P.No.10275 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10275 of 2023

1.S.Kumaravel

2.S.Mahalingam

... Petitioners

Vs.

1.The Inspector General of Registration,
Santhome High Road,
Chennai – 600 028.

2.The Sub Registrar,
Sub Registrar Office,
Pollachi,
Coimbatore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent herein to return the Original Exchange Deed Document No.2823/2009 dated 21.05.2009 to the petitioner herein.



WEB COPY

W.P.No.10275 of



For Petitioners	: Mr.S.Prabhu
For Respondents	: Mr.D.Ravichander Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the 2nd respondent to return the Original Exchange Deed Document No.2823/2009 dated 21.05.2009 to the petitioner.

2. It is not in dispute that the documents registered in the year 2009 was kept pending on the ground of deficit stamp duty. The petitioners have not paid the deficit stamp duty and the matter was referred under Section 47-A of the Indian Stamp Act, 1899. The petitioner earlier filed CMA and the original order passed was set aside and the matter was remitted back to the authorities for fresh consideration. However, the authorities have not passed final orders for the past about 5 years.

3. The learned counsel for the petitioners made a submission that long pendency of the proceedings are causing prejudice to the interest of the petitioners.



W.P.No.10275 of

WEB COPY

4. Considering the facts and circumstances, the 1st respondent is directed to decide the issues pertaining to the reference made under Section 47-A of the Indian Stamp Act, 1899 and pass appropriate orders on merits and in accordance with law as expeditiously as possible preferably within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition stands disposed of. No costs.

07.08.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

- 1.The Inspector General of Registration,
Santhome High Road,
Chennai – 600 028.
- 2.The Sub Registrar,
Sub Registrar Office,
Pollachi,
Coimbatore District.



WEB COPY



W.P.No.10275 of

S.M.SUBRAMANIAM, J.

Jeni

W.P.No.10275 of 2023

07.08.2023