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W.P.No.24153 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2023

CORAM :

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

W.P.No.24153 of 2023

M/s. Zoho Corporation Private Limited Company
Rep. By its Authorized Signatory,
Mr.Rajendren Dhandapani
Plot No.140& 151,
Estancia IT Park Private Limited,
Velachery Village, Chengalpet (Taluk),
Chengalpattu – 603 202.

.. Petitioner

VS

1.The Inspector General of Registration,
Office of IG Registration,
Santhom High Road,
Chennai.

2.The Additional Inspector General of Registration,
Office of IG Registration,
Santhom High Road, Chennai.

3.The District Revenue Officer (Stamps)
District Collector Office Campus,
5th Floor, Singaravellar Malligai,
Chennai – 600 001.

4.The Sub Registrar, Chengalpet Joint II,
Office of Sub Registrar,
Chengalpet.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 3rd respondent to pass appropriate orders on the petitioner's appeal dated 09.06.2022 and release the petitioner's sale deeds documents numbers 14467 of 2015, 14468 of 2015, 14469 of 2015 registered on the file of the office of 3rd respondent.



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For Petitioner : Mr.T.C.Gopalakrishnan
For Respondents : Mr.T.Arunkumar
AGP for R1 to R4

ORDER

The relief sought in the writ petition is to direct the third respondent to pass appropriate orders on the petitioner's appeal dated 09.06.2022 and release the petitioner's sale deed document numbers 14467 of 2015, 14468 of 2015, 14469 of 2015.

2. The petitioner is M/s.Zoho Corporation Private Limited, which is a Company. The petitioner presented a deed of sale for registration on 23.12.2015. The sale deed was registered and on account of deficit stamp duty, it was referred under Section 47A of the Indian Stamp Act. Admittedly, the document is pending before the Deputy Collector, Stamps for conducting enquiry and to pass orders.

3. Pertinently, in C.A.No.13301 of 2015, in the case of *M/s. Subrata Bhattacharya vs Securities and Exchange Board of India*, the Hon'ble Supreme Court had directed constitution of a Committee by SEBI to be headed by Hon'ble Mr.Justice.R.M.Lodha,



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Former Chief Justice of India as Chairman for disposing of the land purchased by PACL so that the sale proceeds recovered there from can be paid to the investors, who have invested their funds in their company for purchase of the land. The petitioner Company approached the retired District Judge appointed by the Committee headed by Hon'ble Mr.Justice R.M.Lodha, Former Chief Justice of India. The retired District Judge adjudicated the issues. The grievances of the petitioner is that the competent authorities are not deciding the proceedings initiated under Section 47A of the Indian Stamp Act. Thus, the present writ petition is filed to pass orders on the appeal and to release the documents.

4. In the event of issuing a direction to release the documents, it would have an implication in respect of the case now pending before the Hon'ble Supreme Court of India. More so, the Apex Court, appointed Hon'ble Mr.Justice R.M.Lodha, Former Chief Justice of India as Chairman for disposing of the land purchased by PACL. Thus, in the event of issuing any direction, the same would cause prejudice to the interest of the depositors in the case which is now pending before the Hon'ble Supreme Court of India. That apart, the petitioner herein had already approached the Hon'ble Supreme Court of India in I.A.No.49205 of 2022. Thus, any relief in respect



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of the subject property of the present nature is to be placed before the Hon'ble Supreme Court of India for appropriate orders.

5. This Court is not inclined to entertain the present writ petition and consequently the writ petition stands dismissed. No costs.

15.09.2023

Index:Yes
Neutral Citation:Yes
ssm

To

- 1.The Inspector General of Registration,
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Chennai.
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Office of IG Registration,
Santhom High Road, Chennai.
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S.M. SUBRAMANIAM,J.

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