



WEB COPY



W.P.No.34044 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.34044 of 2023

T.Meenakshi

... Petitioner

Versus

1.The Inspector General of Registration,
No.100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalaipuram,
Chennai, Tamil Nadu – 600 028.

2.The Sub-Registrar,
Office of the Sub Registration,
Tenkasi-Madurai Main Road,
Kadayanallur – 627751.

3.The Special District Revenue Officer (Stamps)/
Special Deputy Collector (Stamps),
Tirunelveli – 627 009.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the first respondent to consider the representation dated 03.08.2023 by fixing the specific time period to dispose the appeal pending in Appeal.File.No.45918/N4/2022 on the file of the first respondent.

For Petitioner : Mr. V.Balasubramani
For Respondents : Mr. Yogesh Kannadasan
Special Government Pleader



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ORDER

The petitioner has filed this Writ Petition for a “simplicitor mandamus” to direct the first respondent to consider the representation dated 03.08.2023 by fixing the specific time period to dispose the appeal pending in Appeal.File.No.45918/N4/2022 on the file of the first respondent.

2. The brief facts of the case are as follows:-

The petitioner acquired an agricultural Punja land measuring 1 Acre 26 Cenas in Kombaneripudukudi Village, Kadayanallur Taluk, Tenkasi District for a total sale consideration of Rs.1,80,000/- on 17/06/2022. However, when the Sale Deed was presented for registration, the second respondent arbitrarily recommended a higher consideration value of Rs.20,19,780/- without inspecting the property, leading to a demand for a deficit stamp duty of Rs.1,28,786/-. Despite the petitioner's objections submitted on 13.07.2022, emphasizing the agricultural nature of the land and the cultivation activities, the third respondent issued an interim adjudication on 19/09/2022, instructing the petitioner to pay the disputed amount. Dissatisfied with the lack of consideration of their objections, the



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petitioner appealed to the first respondent on 22.12.2022 (Appeal File No.45918/04/2022). Despite passage of nine months, the first respondent has not initiated an inquiry into the matter, causing significant pressure and monetary loss to the petitioner. The petitioner submitted a representation on 03.08.2023, to the first respondent, urging the completion of the inquiry on the appeal filed by him. Since no action has been taken on the same by the first respondent, the above writ petition has been filed by the petitioner.

3. Today, when the matter is taken up for hearing, the learned counsel for the petitioner submitted that it would be suffice to give a direction to the first respondent to consider the petitioner's representation dated 03.08.2023 to dispose of her Appeal.File.No.45918/N4/2022 and pass orders on merits and in accordance with law, within a time that may be fixed by this Court.

4. Mr. Yogesh Kannadasan, learned Special Government Pleader who takes notice for the respondents, submitted that the first respondent may be directed to consider the petitioner's representation dated 03.08.2023, so that the first respondent will pass orders on merits thereon



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and in accordance with law.

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5. Since this writ petition is filed for a limited prayer to direct the first respondent to consider the petitioner's representation dated 03.08.2023 for disposing the appeal filed by her, without going into the merits of the case, this Court directs the first respondent to issue notice to the petitioner and conduct an enquiry be conducted in a manner known to law and consider the representation dated 03.08.2023 to dispose of the appeal submitted by the petitioner and pass orders on the same in accordance with law and on merits, within a period of two months from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition is disposed of. No costs.

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Index : Yes/No
Speaking order : Yes/No
Neutral Case Citation : Yes/No

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To:

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P. VELMURUGAN, J.

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