



W.P(MD)Nos.7343 & 7344 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)Nos.7343 & 7344 of 2023

B.Sri Ramulu

... Petitioner in both petitions

Vs.

1.The Inspector General of Registration,
O/o. the Inspector General of Registration,
108, Santhome High Road,
Pattinapakkam,
Chennai-600 028.

2.The District Registrar (Administration),
O/o. District Registrar,
Dindigul.

3.The Sub Registrar
Nilakkottai Sub Registrar Office,
Nilakkottai,
Dindigul District.

... Respondents in both petitions



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COMMON PRAYER : Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation of the Petitioner dated 26.08.2022 and return the Document in P.Nos.46 and 47 of 2019 on the file of the third respondent and refund the Stamp Duty and Registration Charges to the tune of Rs.11,11,000/- and Rs.17,52,000/- paid by the petitioner, respectively.

In both writ petitions

For Petitioner : Mr.S.Suresh

For Respondents : Mr.C.Satheesh
in W.P(MD)No.7343 of 2023 Government Advocate

in W.P(MD)No.7344 of 2023 : Mr.M.Prakash,
Additional Government Pleader

COMMON ORDER

By consent of both parties, both writ petitions are taken up for final disposal at the stage of admission itself.



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2. Both the writ petitions have been filed in the nature of a Mandamus seeking a direction primarily, against the second respondent/District Registrar (Administration), Dindigul, to consider a representation given by the petitioner in both the cases on 26.08.2022 relating to documents which have been kept pending by the third respondent / Sub Registrar, Nilakkottai, in P.Nos.46 of 2019 and 47 of 2019 and refund the stamp duty and registration charges which had been paid amounting to Rs.11,11,000/- and Rs.17,52,000/- respectively, in the two writ petitions and paid by the petitioner herein.

3. The petitioner was an intending purchaser of the properties and it is stated that however, even for the Amalgamation Deed, stamp duty was directed to be paid by the third respondent herein. Now the petitioner has taken a decision to withdraw from the sale transactions and therefore, has given representations that the documents which have been kept pending may be returned back which would consequently require that the stamp duty and the registration charges also to be returned back.



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4. Let the second respondent take a considered decision with respect to the representation given by the petitioner herein, examine the bonafide and if required, issue notice to the proposed vendor in the sale deeds and thereafter, pass necessary orders. The entire exercise must be completed within a period of 12 weeks from the date of receipt of a copy of this order. If any part of the stamp duty had already been paid, necessary adjustment may be made and the balance amount may be returned back to the petitioner, if rules permit.

5. With the above direction, the Writ Petitions stand disposed of. No costs.

31.03.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No
rm



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To

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C.V.KARTHIKEYAN, J.

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