



W.P(MD)No.9555 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.9555 of 2023

A.N.Nachimuthu

...Petitioner

Vs.

1.The Inspector of General Registration,
Chennai – 600028.

2.The Special Deputy Collector (Stamp),
District Collector Office,
Madurai – 625020.

3.The District Registrar,
District Sub Registrar Office,
Dindigul – 624 004.

4.The Sub-Registrar,
Sub Registrar Office,
Dindigul – 624 004.

5.The Special Tahsildar (Stamp)
Palani Taluk Office,
Palani – 624 601.

6.The Branch Manager,
Canara Bank Palani,
Palani Branch Office,
Palani, Dindigul District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to cancel the 47A show cause notice issued in the name of the petitioner and hand over the original document No. 1/166/2023 and order to the respondents 4 & 5.

For Petitioner	:Mr.M.Ramachandran
For R1 to R5	:Mr.P.T.Thiraviam Government Advocate
For R6	:Mr.M.Prakash

ORDER

This writ petition is filed as against the the show cause notice issued by the second respondent under Section 47(A)(1) of Indian Stamp Act, 1899.

2.The show cause notice, under Section 47(A)(1) of Indian Stamp Act, 1899 has been issued on the petitioner that the petitioner has not paid the required registration fee as contemplated under the Registration Act and it needs to be verified by the District Collector as per the above provision of the Act.



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3.The impugned proceedings is only a show cause notice and therefore, this writ petition is not maintainable in view of the decision of the Hon'ble Supreme Court in **Union of India vs. Kunishetty Satyanarayana [(2006) 12 SCC 28]**.

4.Accordingly, this writ petition is disposed of with a liberty to the the petitioner to offer his explanation to the impugned show cause notice within a period of four weeks from the date of receipt of a copy of this order and on receipt of such explanation, the respondents shall consider the same and proceed in accordance with law within a period of three months from thereon and if the petitioner fails to offer his explanation as directed, it is open to the respondents to proceed in accordance with law, with the available materials. No costs.

16.06.2023

NCC : Yes / No.

Index : Yes / No.

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B.PUGALENDHI, J.

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