



W.P(MD)No.28461 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28461 of 2023

and

W.M.P.(MD)No.24503 of 2023

P.Murugaesan

... Petitioner

Vs.

1.The Inspector General of Registration,
Door No.100,
Santhome High Road,
Foreshore Estate,
Pattinapakkam,
Chennai-600028.

2.The Joint Sub Registrar No.1,
Madurai North,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining the impugned notice dated 31.10.2023 passed by the second respondent and quash the same as illegal.

For Petitioner : Mr.M.Karthick

For Respondents : Mr.M.Prakash
Additional Government Pleader



W.P(MD)No.28461 of 2023

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ORDER

Heard both sides.

2. As rightly pointed out by the learned counsel for the petitioner, the impugned notice has been straight away issued in violation of the principles of natural justice. It is seen that deeds of release had been executed in favour of the petitioner. The petitioner would state that necessary charges were paid. If according to the respondents, there has been under valuation, the procedure laid down in Section 47(A) of the Stamp Act will have to be followed. In this case, such proceedings have not been followed. Even while quashing the impugned order, I clarify that it is open to the respondents to initiate action as per law.

3. The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

04.12.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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