



W.P.Nos.3665 & 3666 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Nos.3665 & 3666 of 2024

R.Hariprasad
S/o.Ramanujam

... Petitioner
in W.P.No.3665 of 2024

S.Berlin Suhiji
W/o.E.Kirubalani

... Petitioner
in W.P.No.3666 of 2024

versus

1. The State of Tamil Nadu
Rep. by its Secretary
Government, Commercial Taxes and Registration
Department, Fort St.George
Chennai-600 009.

2. The Inspector General of Registration
Office of the Inspector General of Registration
No.100, Santhome High Road
Chennai-600 004.



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3. The Deputy Inspector General of Registration
Chennai Zone,
Integrated Commercial Taxes and Registration
Department Complex, Veterinary Hospital road
Nandanam, Chennai-600 035.

4. The District Registrar (AIGR Cadre)
Chennai Central
Bharathi Salai
Chennai-600 014.

5. The Sub-Registrar
Office of the Sub-Registrar
Villivakkam, Chennai-600 049.

... Respondents
in both WPs

Writ Petition No.3665 of 2024 filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to pass orders on the appeal dated 07.09.2022 and consequently, refund the stamp duty and registration charges for the cancelled sale deed in Doc.No.2932/2021 at Sub Registrar Office, Villivakkam and also to initiate appropriate criminal action against the erring officials and award compensation to the petitioner for the loss incurred.



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Writ Petition No.3666 of 2024 filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to pass orders on the appeal dated 07.09.2022 and consequently, refund the stamp duty and registration charges for the cancelled sale deed in Doc.No.2626/2021 at Sub Registrar Office, Villivakkam and also to initiate appropriate criminal action against the erring officials and award compensation to the petitioner for the loss incurred.

For Petitioner in WP.No.3665 of 2024 : Mr.M.Sedhumadhavan

For Petitioner in WP.No.3666 of 2024 : Mr.K.S.Ashraf Ali

For Respondents in both WPs : Mr.B.Vijay
Additional Government Pleader

COMMON ORDER

Mr.B.Vijay, learned Additional Government Pleader accepts notice for the respondents. With the consent of both parties, the main writ petitions are taken up for final disposal at the admission stage itself.



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2. Both these writ petitions have been filed by the petitioners seeking for issuance of a writ of mandamus directing the third respondent to pass orders on the appeals dated 07.09.2022, wherein and whereby, the petitioners have sought to refund the stamp duty and registration charges for the cancelled sale deed vide Document Nos.2392 of 2021 and 2626 of 2021 on the file of the Sub-Registrar Office, Villivakkam and also to initiate criminal action against the erring officials and award compensation to the petitioners for the loss incurred.

3. The main grievance of the petitioners in both the writ petitions is that even though the petitioners have filed appeals before the third respondent on 07.09.2022, the third respondent has not passed any final order so far.

4. Since the respondents are not in a position to state that appeals dated 07.09.2022 are either pending or already disposed of, this Court is



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inclined to issue a direction to the third respondent to dispose of appeals dated 07.09.2022 within a time frame.

5. Therefore, without expressing any view on the merits of appeals, these Writ Petitions are disposed of with a direction to the third respondent to dispose of appeals dated 07.09.2022, if the same has not been already disposed of and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioners as well as interested parties / rival claimants, if any, within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

16.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

1. The Secretary,
State of Tamil Nadu,
Government, Commercial Taxes and Registration
Department, Fort St.George, Chennai-600 009.
2. The Inspector General of Registration
Office of the Inspector General of Registration
No.100, Santhome High Road, Chennai-600 004.
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P.VELMURUGAN, J.

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