



WEB COPY



W.P. No.12121 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.12121 of 2024 and
W.M.P. No.13216 of 2024

Pratap K.Moturi

. . Petitioner

Vs

1.The Inspector General of Registration
Santhome High Road
Chennai 600 004

2.The Deputy Inspector General of Registration
Nandhanam, Chennai 600 004

3.The Sub Registrar
Kundrathur
Chennai 600 0069

. . Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents herein to register sale deed presented by petitioner on 17.04.2024 accepting the stamp duty and registration charges paid by him on same day as per the guideline value of the year 2017 pertaining to the property measuring 1.5 Acres of land out of 4 Acres of land comprised in Survey Nos.11/1 & 11/2 situated in Numbal Maathura Puliambedu Village, earlier Poonamallee Taluk.



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For Petitioner : Mr.J.Pothiraj
For Respondents : Mr.B.Vijay
Addl. Govt. Pleader for R1 to R3

ORDER

This writ petition has been filed seeking a direction to the respondents herein to register the sale deed presented on 17.04.2024 accepting the stamp duty and the registration charges paid by the petitioner on the same day as per the guideline value of the year 2017.

2. It is the case of the writ petitioner that he presented a sale deed paying the stamp duty and the registration charges as per the guideline value of the year 2017. As directed by the Division Bench of this Court in W.A. No.512 of 2024 dated 06.03.2024, the Registering Authority instead of registering the sale deed, has referred the same to the respondents 1 and 2 under Section 47A of the Indian Stamp Act. Therefore, the petitioner is before this court.

3. The guideline value is only a *prima facie* value and it cannot be the market value. When the Registering authority has exercised his/her power under Section 47A and referred the instrument for determination of market



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value by the Collector, now there cannot be any direction as sought for by the petitioner. Once the document has been referred as per his own pleadings, it is for the District Registrar (Stamps), Chennai, with whom the reference is made is directed to dispose of the reference within a period of three months from the date of receipt of a copy of this order.

4. The writ petition is disposed of accordingly. No costs. Consequently, the connected writ miscellaneous petition is closed.

29.04.2024

Index : Yes / No
Speaking/non speaking order
Neutral Citation : Yes/No
Asr

To

1.The Inspector General of Registration
Santhome High Road
Chennai 600 004

2.The Deputy Inspector General of Registration
Nandhanam, Chennai 600 004

3.The Sub Registrar
Kundrathur
Chennai 600 0069



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4. The Government Pleader
High Court, Madras

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Copy to:

The District Registrar (Stamps)
Chennai



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N. SATHISH KUMAR, J.

Asr

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