



WEB COPY



WP.No.13084 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.13084 of 2024

RamkyWavoo Developers Pvt. Ltd.,
Represented by Authorized Signatory/Executive Director,
Mr.W.H.Abdul Rahman, having registered office at
Level 5, No.323, Poonamallee High Road,
Chennai – 600 029.

.. Petitioner

Versus

1. The District Registrar,
M.V.Street, Thiruvallur.

2. The Sub Registrar,
Poonamallee, Chennai – 600 056.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to directing the 1st Respondent to consider the Appeal dated 06.03.2024 filed under section 80(A) (3) of the Registration Act r/w Rule 3 and 4 of the Tamil Nadu Registration Rules 1983 for setting aside the order dated 28.02.2024 passed by the 2nd Responded and to refund the deficit registration fee of Rs.29,20,000/- erroneously collected and to dispose the same within a time frame as fixed by this Court.

[Prayer amended vide Order dated 15.05.2024 made in WMP.No.
14761 of 2024 in W.P.No.13084 of 2024 by PTAJ]



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For Petitioner : Mr.Mohammed Fayaz Ali
For Respondents : Mr.L.S.M.Hasn Fizal
Additional Government Pleader

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the first respondent to consider the Appeal dated 06.03.2024 filed under section 80(A) (3) of the Registration Act r/w Rule 3 and 4 of the Tamil Nadu Registration Rules 1983 for setting aside the order dated 28.02.2024 passed by the second respondent and to refund the deficit registration fee of Rs.29,20,000/- erroneously collected and to dispose the same within a time frame as fixed by this Court.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. It is the case of the petitioner that when the agreement for sale has been registered, an excess stamp duty has been collected. In this regard, the



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petitioner has filed an appeal on 06.03.2024, which is pending before the first respondent. In the meanwhile, again a show cause notice has been issued to the petitioner. Hence, the present Writ Petition has been filed seeking a direction to the first respondent to dispose of the appeal filed by the petitioner.

5. Considering limited relief sought for by the petitioner, without going into the merits of the case, the first respondent is directed to dispose of the appeal dated 06.03.2024 filed by the petitioner within a period of two months from the date of receipt of a copy of this Order, taking into consideration the judgment of this Court in **Akshya Private Limited Rep. by its Authorized Signatory J.Ravi Vs. Inspector General of Registration, Tamil Nadu** reported in **[2022] 6 MLJ 2320**

6. With the above directions, this Writ Petition is disposed of. No costs.

19.06.2024

vrc

Index	:Yes/No
Internet	:Yes/No
Neutral Citation	: Yes/No



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To,

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1. The District Registrar,
M.V.Street, Thiruvallur.
2. The Sub Registrar,
Poonamallee, Chennai – 600 056.



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N. SATHISH KUMAR, J.

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