



WEB COPY

W.P.No.19511 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.19511 of 2024

Jothimani

...

Petitioner

versus

1.The Inspector General of Registration,
100, Santhome High Road,
Chennai - 600 028.

2.The District Revenue Officer (Stamps),
Collectorate Campus,
Coimbatore District - 641 018.

3.The Joint Sub Registrar 1,
Office of the Joint Sub Registrar 1,
Tirupur District - 641 666.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the third respondent to forthwith return the original Sale Deed bearing Document No.3724/2024 registered on 29.04.2024 to the petitioner without insisting upon payment of excess stamp duty in terms of strict compliance with the judgment dated 06.03.2024 in W.A.No.512 of 2024 after considering the representation of the petitioner dated 20.05.2024.



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For Petitioner : Mr.R.Prabakar
For Respondents : Mr.B.Vijay
Additional Government Pleader

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the third respondent to return the original Sale Deed bearing Document No.3724/2024 registered on 29.04.2024 to the petitioner without insisting upon payment of excess stamp duty in terms of strict compliance with the judgment dated 06.03.2024 in W.A.No.512 of 2024, after considering the representation of the petitioner dated 20.05.2024.

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



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4. It is stated by the learned Additional Government Pleader for the respondents that the document was registered on 29.04.2024 and immediately referred under Section 47-A of the Indian Stamp Act, 1899 and Form-I also issued to the petitioner.

5. In such view of the matter, once the proceedings under Section 47-A have already been initiated, as a matter of right, the document cannot be released. It is for the petitioner to participate in the enquiry. The document could be released only after Section 47-A proceedings. The respondents are directed to complete the enquiry within a period of three months from the date of receipt of a copy of this order.

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

24.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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N.SATHISH KUMAR, J.

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