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W.P.No.26064 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.26064 of 2024

A.K.Abdullah

...Petitioner

Vs.

1.Sub-Registrar Joint-I
Central Chennai
182, Bharati Salai (Pycrafts Road)
Royapettah, Chennai 600 014.

2.The District Registrar (Admin)
Central Chennai
268, Bharathi Salai
Express Estate, Royapettah
Chennai 600 014.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representation dated 21.12.2023 within a reasonable time frame as stipulated by this Court and to direct the first respondent to register the deed of transfer of assets which was allotted with temporary No.TP/150491170/2023 in favour of the beneficiaries in accordance with the Trust Deed.



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W.P.No.26064 of 2024

For Petitioner : Ms.P.Elakkiya
for Mr.P.J.Rishikesh

For Respondents : Mr.T.Chezhiyan for R1 & R2
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents to consider his representation dated 21.12.2023 and register a deed of transfer of assets submitted by the petitioner before the first respondent based on his representation.

2. When the Writ Petition is taken up for hearing, the learned Additional Government Pleader appearing for the respondents on instructions submits the document presented for registration was impounded under Section 33 of the Indian Stamp Act and forwarded to the second respondent. If the Authority exercising power under Section 33 of the Indian Stamp Act, impounds a document, it shall be forwarded to the Collector for conducting an enquiry under Section 40 of the Indian Stamp Act.



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3. In the case on hand, it appears that the first respondent forwarded the document to the second respondent. Therefore, without going into the merits of the claim made by either of the parties, the first respondent and second respondent are directed to send the document to the Collector [The District Revenue Officer (Stamps) / Special Deputy Collector (Stamps) in case of Chennai] for proceeding further as per provisions of the Indian Stamp Act. The petitioner is at liberty to appear before the Collector and make his submission regarding stamp duty payable on the document. The proceedings for the determination of correct stamp duty shall be completed within a period of 12 weeks from the date of receipt of copy of this order.

4. With the above direction, this Writ Petition is disposed of.

No costs.

04.09.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna



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To

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- 2.The District Registrar (Admin)
Central Chennai
268, Bharathi Salai
Express Estate, Royapettah
Chennai 600 014.
- 3.The District Revenue Officer (Stamps) /
Special Deputy Collector (Stamps)
5th Floor, Singaravelar Malligai
Rajaji Salai, Chennai 600 001.



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W.P.No.26064 of 2024

S.SOUNTCHAR, J.
dna

W.P No.26064 of 2024

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