



W.P.No.33762 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 27.06.2024

Coram

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Writ Petition No.33762 of 2022

Hindustan Infrastructure Projects &
Engineering Private Limited,
No.54, Richmond Road,
Bangalore 560 025.

..... Petitioner

-Versus-

1.The Inspector General of Registration,
Tamil Nadu Principal Revenue Controller,
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalaipuram, Chennai,
Tamil Nadu 600 028.

2.The District Revenue Officer (Stamps),
Collectorate Compound,
102, State Bank Raod,
Gopalapuram, Coimbatore,
Tamil Nadu 641 018.

3.The Joint Sub Registrar,
O/o The District Registrar,
102, State Bank Road,
Gopalapuram,
Coimbatore, Tamil Nadu 641 018.

..... Respondents

Petition filed under Article 226 of the Constitution of India, praying to



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issue a writ of mandamus, directing the respondents to release the registered sale deed dated 26.03.2022 bearing Doc.No.987 of 2002 pending adjudication of the SLP (Civil) Diary No.23982 of 2022 before the Hon'ble Supreme Court.

For Petitioner

*Mr.Anirudh Krishnan for
M/s.Sarvabhauman Associates*

For Respondent (s)

*: Mr.Yogesh Kannadasan,
Spl. Government Pleader for
RR1 to 5*

ORDER

This writ petition has been filed seeking a writ in the nature of mandamus, directing the respondents to release the registered sale deed dated 26.03.2022 bearing Doc.No.987 of 2002 pending adjudication of the SLP (Civil) Diary No.23982 of 2022 before the Hon'ble Supreme Court.

2. According to the petitioner company, the document which was presented by them for registration has been kept pending though it was registered as Doc.No.987 of 2022 despite the fact that civil miscellaneous appeal filed by the petitioner was allowed in part in favour of the petitioner determining the stamp duty. The grievance of the petitioner is that when they went to pay the stamp duty, the registering authority refused to receive the stamp duty.

3. The learned counsel appearing for the petitioner would fairly submit that as against the order of this court dated 28.01.2022 made in C.M.A.No.1836



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of 2005, special leave petition which was filed in SLP (C) Diary No.23982 of 2022 was admitted on 29.08.2022 and the same is pending. Therefore, payment of requisite stamp duty on the instrument will be subject to the outcome of the decision in the pending SLP before the Hon'ble Supreme Court

4. In the light of the above said factual aspect, separate writ petition seeking a direction to the respondents to release the registered document is not maintainable and it is needless to state that the release of the document so registered will be subject to the order of the Special Leave Petition pending before the Hon'ble Supreme Court .

In view of the above, the writ petition is dismissed as not maintainable.

No costs.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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To

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N.SATHISH KUMAR.J.,
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