



W.P.No.2897 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.2897 of 2024

M.S.Saravanan

... Petitioner

versus

- 1.Sub Registrar,
Cheyyur Sub Registrar's Office,
3/156, Salt Road,
Cheyyur, Tamil Nadu – 603 302.
- 2.District Registrar (Admin),
District Registrar Office,
JCK Nagar,
Chengalpattu, Tamil Nadu – 603 002.
- 3.District Revenue Officer (Stamps),
32, Rajaji Salai,
Chennai – 600 001.
- 4.Additional Inspector General of Registration (Guidelines)
Registration Dept. Head Office,
No.100, Santhome High Road,Chennai – 600 028.



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5. Deputy Inspector General of Registration,
Deputy Head of Registration Office,
Nandanam, Chennai – 600 035.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the first respondent to issue the original Sale Deed No.939/2022 and 2nd and 3rd respondents to change the category of land from residential to agricultural.

For Petitioner : Mr.Karthick Eswaran J.

For Respondents : Mr.R.Neethiperumal
Government Advocate

ORDER

Mr.R.Neethiperumal, learned Government Advocate accepts notice for respondents. With the consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed the Writ Petition praying for issuance of a



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Writ of Mandamus, to direct the first respondent to issue the original Sale Deed No.939/2022 and also direct respondents 2 and 3 to change the category of land from residential to agricultural.

3. The learned counsel for the petitioner submitted that the petitioner is having agricultural lands in S.Nos.224/4B and 224/6 situated at No.37, Koonankaranai Village, Cheyyur, Chengalpattu District. While so, he purchased the adjacent agricultural land in S.No.224/5, measuring an extent of 26 cents through a sale deed dated 16.03.2022, vide Document No.939/2022 on the file of the Sub-Registrar Office, Cheyyur. Since, the said land is used for agricultural purposes years together and even as on date, it has been used only for agricultural purposes, but the third respondent issued a notice claiming the stamp duty as if the subject property relates to residential purpose. He further submitted that the guideline value for the said land was given as Rs.201/- sq.ft., moreover, the land has been classified



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under Residential Class I Type-I as on 1st May 2022. Hence, the petitioner requested respondents 2 and 3 to change the category of land from residential to agricultural.

4. The learned Government Advocate appearing for the respondents submitted that already the documents were referred under Section 47-A of 'Indian Stamp Act, 1899' [hereinafter referred to as 'the Act'], to the third respondent on 19.07.2022. He has further submitted that so far, no enquiry was conducted and the matter is pending before the third respondent and the same will be considered as expeditiously as possible.

5. Heard both sides and perused the materials available on record.

6. Having regard to the submissions made by the learned counsel on either side, this Court, at this stage, is not expressing any view on the merits



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of the matter, directs the third respondent to dispose of the matter under

Section 47-A of the said Act on merits and in accordance with law, after issuing notice to the petitioner as well as rival claimants/interested parties/adjacent owners of four boundaries of the subject properties, if any, within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

09.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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