



W.P.No.36058 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.36058 of 2023

S.P.surendranath Karthik

.. Petitioner

Vs.

1. The Secretary to Government
Commercial Taxes and Registration (J1) Department
Namakkal Kavignar Maaligai
Fort St. George, Chennai – 600 009.

2. The Inspector General of Registration
100, Santhome High Road
Pattinapakkam, Chennai – 600 028.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus, calling for the records from the 1st respondent pertaining to the impugned Government Order bearing G.O.(Ms).No.131 dated 01.12.2023 and to quash the same and to consequently direct the 2nd respondent not to enforce the impugned Government Order as being unconstitutional.



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For the Petitioner : Mr.Kaushik N.Sharma
for M/s.K.N.S Law Chambers
For the Respondents : Mr.B.Vijay
Additional Government Pleader
for R1 and R2

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.Kaushik N.Sharma, learned counsel appearing for M/s.K.N.S.Law Chambers for the petitioner and Mr.B.Vijay, learned Additional Government Pleader for the respondents.

2. The petitioner is challenging the Government Order bearing G.O.(Ms).No.141 dated 01.12.2023 to the limited extent that the practice of registering two documents for undivided share of land and building separately is dispensed with.

3. Learned Additional Government Pleader submits that the same Government Order and the notification are the subject matter of challenge in W.P.No.34456 of 2023. The same is pending before this Court and the learned Single Judge has directed the State to file counter affidavit in the matter. The said writ petition is filed by Credai



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4. In the light of that, as the challenge raised in the present petition is already a subject matter of challenge in an other proceeding, there is no purpose in entertaining the present public interest litigation.

5. Learned counsel for the petitioner submits that the petitioner would make an application in the pending writ petition. It is for the petitioner to take steps, as may be permissible under law.

6. The present writ petition, accordingly, stands dismissed. There shall be no order as to costs. Consequently, W.M.P.No.36030 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

04.01.2024

Index : Yes/No
Neutral Citation : Yes/No

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To

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

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