



C.M.A.(MD)No.521 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

C.M.A.(MD)No.521 of 2013

V.K.Rajendran

... Appellant/Appellant/
Document Holder

-VS-

1. The Tamil Nadu Chief Controlling Revenue Authority,
Cum Inspector General of Registration,
No.120, Santhome High Road,
Chennai – 28.

2. The Special Deputy Collector (Stamps)
Collector's Office,
Trichy.

3. The Sub Registrar,
Melakarur,
Karur.

... Respondents/Respondents/
Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 47 A(10) of Indian Stamp Act, against the order passed in Pa.Mu.No.61672/N.4/2008, dated 13.01.2011 on the file of the Tamil Nadu Chief Controlling Revenue Authority-cum- Inspector General of Registration confirming the order passed by the second respondent/the Special Deputy Collector, (Stamps) Karur in See.Pa.No.2796/03, dated 05.03.2008.



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For Appellant : Mr.N.Shanmugaselvam
For Respondents : Mr.G.Siva Raja
Government Advocate (Crl side)

J U D G M E N T

This Civil Miscellaneous Appeal has been filed by the appellant as against the order passed in Pa.Mu.No.61672/N.4/2008, dated 13.01.2011, on the file of the Tamil Nadu Chief Controlling Revenue Authority-cum-Inspector General of Registration, confirming the order passed by the second respondent/the Special Deputy Collector, (Stamps) Karur in See.Pa.No. 2796/03, dated 05.03.2008.

2. According to the appellant, he purchased the property in S.No.174/1, 175/A, in Thanthoni Village, Karur Taluk, measuring an extent of 1.11 Acres along with Well for the value of Rs.1,90,000/- and the same was registered in Document No.5031/02. The above said land is an agricultural land and for the above said land the guideline value was fixed at a sum of Rs.63.10/- per square feet. But the Sub Register fixed the same at Rs.96/- per square feet and



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thereby, referred the document under Section 47-A(1) to the Special Collector (Stamps). The Special Collector (Stamps) inspected the property and fixed the value at Rs.90/- per square feet. As against the same, the appellant has preferred the appeal under Section 47-A(5) of the Stamp Act before the first respondent. The first respondent also called for report from the District Registrar and the District Registrar has inspected the property and fixed the value of Rs.63.10/- per square feet. Thereafter, the appellant appeared before the District Registrar on 28.09.2010 and thereafter, the first respondent passed an order by fixing a sum of Rs.63.10/- per square feet.

3. The learned counsel appearing for the appellant would contend that in the year 2004, for the adjacent land, the respondents have fixed a sum of Rs.33/- per square feet and without any valid reasons the first respondent has fixed the value at Rs.96/- per square feet and therefore the appellant filed an appeal before the second respondent. The second respondent fixed the value at Rs.90/- per square feet. As against the same, the appellant has preferred the appeal before the first respondent and the first respondent has fixed a sum of Rs.63.10/- per square feet. Therefore, the value fixed by the first respondent is too high and thereby, the order passed by the first respondent is liable to be



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set aside.

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4. The learned Government Advocate appearing for the respondents would contend that the guideline value of the property has been fixed at a sum of Rs.96/- per square feet and the appellant has registered documents in the year 2002 and the value of the property is fixed at a sum of Rs.96/- per square feet based on the guideline value. The appellant has preferred the appeal before the second respondent and the second respondent fixed the value at Rs.90/- per square feet after making proper enquiry. Again the appellant has filed appeal before the first respondent and the first respondent called for report from the District Registrar and based upon the report of the District Registrar, he fixed the value at a sum of Rs.63.10/- per square feet. Therefore, the order passed by the first respondent is in order.

5. This Court heard both sides and perused the materials on record.

6. According to the appellant, the value of the property is only a sum of Rs.33/- and in Document No.2102 of 2004 for the adjacent property in S.No.



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2337 the same respondent fixed a sum of Rs.33/- per square feet. But for the land in question they fixed higher amount of Rs.63.10/-. But the appellant has not produced any documents substantiate contention.

7. According to the respondents, the guideline value of the property is Rs.96/- per square feet and the Special Deputy Collector (Stamps) fixed a sum of Rs.90/- per square feet, however the first appellate authority reduced the same from Rs.96/- to Rs.63.10/- after making proper enquiry by the District Registrar.

8. It is an admitted fact that the appellant was also given opportunity and he has also appeared for the hearing on 28.09.2010 and thereafter, the first appellate authority passed a detailed order and also based on the report of the District Registrar reduced the guideline value from Rs.96/- to Rs.63.10/- and therefore the above said order was passed by the first respondent, is in order. The appellant has failed to produce any documents to substantiate his contention. In the absence of any contra evidence, the value fixed by the authorities is in order. Therefore this appeal has no merit and it deserves to be dismissed.



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9. In the result, this Civil Miscellaneous Appeal is dismissed. There shall be no order as to costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Tamil Nadu Chief Controlling Revenue Authority,
Cum Inspector General of Registration,
No.120, Santhome High Road,
Chennai – 28.
2. The Special Deputy Collector (Stamps)
Collector's Office,
Trichy.
3. The Sub Registrar,
Melakarur,
Karur.
4. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,

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Madurai.



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P.DHANABAL,J.

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