



WP(MD). No.22341 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 19/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.22341 of 2023

Muthukamatchi.D

... Petitioner

Vs

1. The Inspector General of Registration,
Chennai..

2. The Deputy Inspector General,
Of Registration, Thirumogur Road,
Y.Othakadai,
Madurai..

3. The Palani District Registrar,
(Administration), Palani.

4. The Sub Registrar,
Vadamadurai Sub Registrar Office,
Vadamadurai,
Vedasandur Taluk,
Dindigul District..

5. The Authorized Officer,
Canara Bank,
Dindigul Main Branch.

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd and 4th respondents to return the sale certificate executed by the 5th respondent in 4th respondent office in connection with Document P/vadamadurai/32/2023, receipt No.6539/2023 to the petitioner forthwith.

For Petitioner : M/s.Marivel.N,
For Respondents : Mr.P.Subbaraj for R1 to R4
Special Government Pleader
Mr.Mathan Alexander for R5

ORDER

The writ petition has been filed for a mandamus to direct the 3rd and 4th respondents to return the sale certificate executed by the 5th respondent in 4th respondent office in connection with Document P/vadamadurai/32/2023, receipt No.6539/2023 to the petitioner forthwith.

2. It is the case of the petitioner that the sale certificate was registered as early as on 08.08.2023 by paying necessary stamp duty as demanded by the authorities. Even after the sale certificate has been registered and stamp duty is paid, the document has not been released.



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3. I have considered the rival submissions and perused the materials available on record.

4. The said issue is no longer res integra, this Court has elaborately considered the said aspect. In the case of *Sri Balaji Fibre v. the Inspector General of Registration reported in 2024 (4) MLJ 593*, this Court has held that stamp duty payable is only 5+1, wherein, in the present case, the stamp duty has been collected more than that. When such being the position, the authorities cannot keep the document pending. Hence, there shall be a direction to the respondents to release the sale certificate immediately within a period of one week from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

19.09.2024

RR



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Madurai..
3. The Palani District Registrar,
(Administration), Palani.
4. The Sub Registrar,
Vadamadurai Sub Registrar Office,
Vadamadurai,
Vedasandur Taluk, Dindigul District..



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N.SATHISH KUMAR,J

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**ORDER
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