



W.P (MD).No.27705 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.27705 of 2024

S.Amutha

... Petitioner

Vs.

The Sub Registrar,
Vilangudi,
Madurai District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to receive and register the sale deed presented by the petitioner bearing online Token No.TP/19649104/2024 and refer the same under Section 47-A of Indian Stamp Act, 1899.

For Petitioner : Mr.R.Murali

For Respondent : Mr.M.Sarangan
Additional Government Pleader

ORDER

This writ petition has been filed for a direction directing the respondent to receive and register the sale deed in respect of the subject property and refer the same under Section 47-A of Indian Stamp Act, 1899.



W.P. (MD).No.27705 of 2024

WEB COPY

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The properties comprised in Resurvey No.57/13B and 53/1B to an extent of 1.03 acres belongs to P.N.P.J.Packeer Mohammed. He purchased the said property vide registered sale deed, dated 12.10.2009 vide document No. 3261 of 2009. The petitioner intended to purchase the said property and his vendor executed a sale deed on 17.10.2024 and presented for registration. The sale consideration was paid at Rs.61,80,000/-. Though the petitioner had paid the registration fees and stamp duty, the respondent refused to register the document on the ground that the subject property is under valued. The respondent also insisted to pay the registration fee and stamp duty on square feet basis. Even assuming that the petitioner valued the property under the less value as Nanja land, the registering authority can receive the document and after registration, it can be referred under Section 47-A of Indian Stamp Act, 1899 if any deficit Stamp duty and registration fee.



W.P (MD).No.27705 of 2024

5. In view of the above, the respondent is directed to receive and register the sale deed and refer the same under Section 47-A of Indian Stamp Act, 1899.

6. With the above direction, the writ petition is disposed of. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

20.11.2024

To

The Sub Registrar,
Vilangudi,
Madurai District.



WEB COPY



W.P (MD).No.27705 of 2024

G.K.ILANTHIRAIYAN, J.

am

W.P (MD).No.27705 of 2024

20.11.2024