IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.M.A.No.1951 of 2005

1.Ramalingana Venkatesamurthy

2.V.Gnana Thenmozhi
(rep. by their power agent Mrs.C.Ezhilarasi)
No.7, Ramakrishnan Street, Porur, Chennai – 600 106 ... Appellants

vs.

1.The Tamilnadu Chief Revenue
Controlling Authority Cum Inspector General of Registration
Santhome
Chennai – 600 028

2.The District Registrar cum District Collector Stamps
Villivakkam
Chennai – 600 101

3.The Sub Registrar
Villivakkam ... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 47 (A) (10) of Indian Stamp Act, to set aside the order of the first respondent in PA.MU.Lr.No.62723 / PP.1 / 2003 dated 29-01-2005 confirming the order of the second respondent in P. No.94/2, dated 03-09-2003 and direct the respondents to return the original deed registered as P.No. 94/2002 dated 26-04-2002, Sub-Registrar Office, Villivakkam to the appellants herein.

For Appellants : Mr.L.Dhamodaran

For Respondents : Mr.C.Sathish
Government Advocate

JUDGMENT

The Civil Miscellaneous Appeal has been filed challenging the order passed by the Chief Revenue Controlling Authority-cum-Inspector General of Registration under Section 56(1) of the Indian Stamp Act.

2. The 2nd respondent herein passed an order under Section 40(1)(b) of the Indian Stamp Act directing the Power Agent of 2nd appellant to pay deficit stamp duty together with penalty. The said order was challenged by the appellants by filing appeal before the Inspector General of Registration under Section 56(1) of the Indian Stamp Act. The said appeal was dismissed by confirming the order passed by the 2nd respondent.

3. From the order passed by the Inspector General of Registration under Section 56(1) of the Indian Stamp Act, no appeal is provided to the High Court. Therefore, the instant civil miscellaneous appeal filed by the appellants is not maintainable.

4. Infact, in ***P.Sridhar vs. The Chief Controlling Revenue Authority and Inspector General of Registration and others*** in C.M.A.No.775 of 2020, dated 18.03.2021, this Court has taken a similar view.

5. In view of the same, the Civil Miscellaneous Appeal is dismissed as not maintainable with liberty to the appellants to challenge the order passed by the Chief Revenue Controlling Authority-cum-Inspector General of Registration in the manner known to law. No costs.

28.03.2025

Index :Yes/No
Speaking order :Yes/No
Neutral Citation :Yes/No
dm

Note:-The Registry is directed to return the original impugned order to the learned counsel for the appellants, after getting necessary endorsement.

To

1.The Tamilnadu Chief Revenue
Controlling Authority Cum Inspector General of Registration
Santhome, Chennai – 600 028

2.The District Registrar cum District Collector Stamps
Villivakkam, Chennai – 600 101

3.The Sub Registrar,
Villivakkam

4.The Section Officer, VR Section,
High Court, Madras.

S.SOUNTHAR, J.

dm

C.M.A.No.1951 of 2005

28.03.2025