



W.P.No.3434 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.3434 of 2023

W.M.P.No.3503 of 2023

1.N.K.Kuppusamy

2.C.Samiyappan

3.A.Devaraj

4.A.Kittusamy

...Petitioners

Vs

1.The District Registrar,
Registration Department,
Tiruppur District, Tiruppur.

2.The Sub Registrar,
Registration Department,
Kangayam,
Tiruppur District.

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 2nd respondent in her proceedings document No. 2159/2022 dated 12.12.2022 and quash the same.



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For Petitioner : M/s.C.Prakasam

For Respondents : Mr.B.Vijay (For R1 & R2)

Additional Government Pleader

ORDER

The Writ Petition has been filed for the following relief:-

To call for the entire records relating to the impugned order passed by the 2nd respondent in proceedings document No. 2159/2022 dated 12.12.2022 and quash the same.

2.Heard the learned counsels on either sides and perused the records. The learned Additional Government Pleader takes notice on behalf of the respondents.

3.It is fairly conceded that the impugned order has been passed without notice to the petitioner and only passed on audit objections which has not been brought to the notice of the petitioner. Therefore, without going into the merits of the case, the present Writ Petition is allowed, the impugned order dated 12.12.2022 demanding deficit stamp duty and registration charges is set aside and the matter is remitted back to the District Collector, Tiruppur District, namely the first respondent



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for considering audit objections afresh after issuing notice to the petitioners, receiving their objections and pass orders after giving them a personal hearing speaking orders will be passed in the above matter. The original files are returned to the Additional Government Pleader. The said exercise shall be completed within a period of three months from the date of receipt of copy of this order.

4. Accordingly, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

30.01.2025
(2/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
ep



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P.T.ASHA, J,

ep

To

1.The District Collector,
Registration Department,
Tiruppur District, Tiruppur.

2.The Sub Registrar,
Registration Department,
Kangayam,
Tiruppur District.

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W.M.P.No.3501 of 2023 in
W.P.No.3434 of 2023

P.T.ASHA.J,

Ordered on payment of single court
fee.

30.01.2025
(½)