



W.P.No.4367 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4367 of 2025

M/s.Earthline Services Pvt.Ltd.
Represented by its Managing Director
No.A-1, 4th Floor
11th Cross Lingarajapuram
St.Thomas Town P.O.,
Bangalore 560 084.

... Petitioner

Vs.

- 1.State of Tamil Nadu
Represented by the Secretary to the Government
Department of Commercial Taxes and Registration
Secretariat, Chennai 600 009.
- 2.Collector of Stamps
Chennai Collectorate
Represented by the Inspector General
No.62, Rajaji Salai, 4th Floor
Chennai 600 001.
- 3.State Bank of India Officer's Association (Chennai Circle)
Represented by its Chairman
State Bank Buildings
84, Rajaji Salai
Chennai 600 001.

....Respondents



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WEB COPY **Prayer** : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to adjudicate and prescribe adequate stamp duty payable on the documents executed between the petitioner and the third respondent namely, the notice inviting tenders dated 10.05.2017 and the Letter of Award dated 21.09.2017.

For Petitioner : M/s.Thriyambak.J Kannan

For Respondents : Mr.M.Shahjahan for R1 & R2
Special Government Pleader

ORDER

The prayer in the Writ Petition is to direct the second respondent to adjudicate and prescribe adequate stamp duty payable on the documents executed between the petitioner and the third respondent with reference to the notice inviting tenders dated 10.05.2017 and the letter of award dated 21.09.2017.



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2. The case of the petitioner is that it is a contract but, however, it was not stamped. There were subsequent dispute arising out of the said contract and therefore, the arbitration proceedings were invoked and the arbitration proceedings are in an advanced stage. In fact, the entire enquiry and trial is completed and it is only pending for passing of award. The same is kept pending only because the adjudication proceedings with reference to the aforementioned contract is now pending before the second respondent namely the Collector of Stamps, Chennai Collectorate. The documents were impounded by this Court by an order dated 15.06.2023 and the original was submitted before the second respondent for adjudication on 23.06.2023.

3. In view thereof, the second respondent has to conduct an enquiry in the manner known to law and complete the adjudication proceedings. Since already the matter is pending for six months and the arbitration also in advanced stage, the second respondent can be directed to conclude the adjudication proceedings. In view of the order that is proposed



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to be passed by this Court, the order is passed at the admission stage itself

without notice to the third respondent.

4. In view thereof, this Writ Petition is disposed of at the admission stage with the following directions;

(i) The second respondent shall conclude the enquiry with reference to the adjudication proceedings in respect of the documents that are impounded and submitted before it on 23.06.2023 in the manner known to law, in any event, not later than a period of four weeks from the date of receipt/production of the website uploaded copy of the order without waiting for the certified copy of the order.

(ii) No costs.

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Neutral Citation : No
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To

- 1.The Secretary to the Government
Department of Commercial Taxes and Registration
Secretariat, Chennai 600 009.
- 2.The Collector of Stamps
Chennai Collectorate
Represented by the Inspector General
No.62, Rajaji Salai, 4th Floor
Chennai 600 001.
- 3.The Chairman
State Bank Buildings
84, Rjaji Salai
Chennai 600 001.



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D.BHARATHA CHAKRAVARTHY, J.

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