



WEB COPY



Writ Petition No.4811 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.4811 of 2025

&

W.M.P.Nos.5330 & 5331 of 2025

P.Ravi

S/o.Palanisamy

... Petitioner

Vs.

1.Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalai Puram,
Chennai - 600 028.

2.District Registrar,
Chennai,
No.100, Santhome High Road,
Raja Annamalai Puram,
Chennai - 600 028.

3.Sub-Registrar Tiruchengode
Sub Registrar Office,
Tiruchengode - 637 211.

4.The Special Deputy Collector (Stamps),
Collectorate, Salem.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records leading to the issuance of the Notice bearing No.39557/c1/2024 dated 06.11.2024 signed by the second respondent and quash the same.



Writ Petition No.4811 of 2025

For Petitioner : Mr.B.Aravind Sreevatsa

For Respondents : Mr.Abishek Murthy
Government Advocate

ORDER

This writ petition has been filed challenging the notice dated 06.11.2024 signed by the second respondent.

2. Heard Mr.B.Aravind Sreevatsa, learned counsel for petitioner and Mr.Abishek Murthy, learned Government Advocate appearing for respondents.

3. The petitioner claims to be the absolute owner of the subject property by virtue of a registered sale deed dated 20.08.2021 registered as document No.5273 of 2021. According to the petitioner, the proper stamp duty and registration fees was paid at the time of registration. While so, the third respondent had referred the sale deed under Section 47A(1) of the Stamp Act on the ground that there is under-valuation. Subsequently, the valuation was arrived at and the difference amount was paid by the petitioner.



Writ Petition No.4811 of 2025

4. A show cause notice dated 06.11.2024 was received by the petitioner from the first respondent, which was signed by the second respondent stating that *suo motu* proceedings are initiated under Section 47A(6) of the Stamp Act. The same has been put to challenge in the present writ petition on the ground that the second respondent does not have any power or jurisdiction to issue such a notice and such power is conferred only upon the first respondent.

5. Learned Special Government Pleader appearing on behalf of the respondents submitted that the proceedings are not initiated by the second respondent and the proceedings, in fact, is initiated only by the first respondent in exercise of powers under Section 47A(6) of the Stamp Act. While issuing the notice, the second respondent has countersigned the notice and it has been served on the petitioner. That does not mean that the second respondent is going to conduct the enquiry and take a decision.

6. The above clarification given by the learned Special Government Pleader sufficiently answers the grievance expressed by the petitioner. It is made clear that the proceedings initiated under Section



Writ Petition No.4811 of 2025

47A(6) of the Stamp Act can be proceeded further only by the first respondent and enquiry will be conducted by the first respondent and orders will be passed strictly on its own merits and in accordance with law.

This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petitions are closed.

13.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

1. Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalai Puram,
Chennai - 600 028.
2. District Registrar,
Chennai,
No.100, Santhome High Road,
Raja Annamalai Puram,
Chennai - 600 028.
3. Sub-Registrar Tiruchengode
Sub Registrar Office,
Tiruchengode - 637 211.
4. The Special Deputy Collector (Stamps),
Collectorate, Salem.



WEB COPY



Writ Petition No.4811 of 2025

N.ANAND VENKATESH, J

gm

Writ Petition No.4811 of 2025

13.02.2025