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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 7295 of 2025 and WMP No. 8120 of 2025

1. Thanigachalam.M

2.G.M.Latha Thanigachalam

Petitioner(s)

Vs

1. The Sub Registrar

O/o The Sub Registrar, Anna Nagar,
Chennai 600040

2.The Inspector General of Registration

O/o The Inspector General of
Registration, Santhome, Chennai
600004

3.The District Revenue Officer Stamps

O/o The District Collector, 5th Floor,
Singara Velar Maligai, 32 Rajaji Salai,
Chennai 600001.

Respondent(s)



PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order dated 02.06.2023 in Ref.No.C.Pa.No.1/23/A passed by the 3rd respondent and quash the same and also directing the respondents to return and handover the original Sale Deed dated 03.02.2023 duly registered as Document No.585 of 2023 at the Sub Registrar Office Anna Nagar within a period stipulated by this Court.

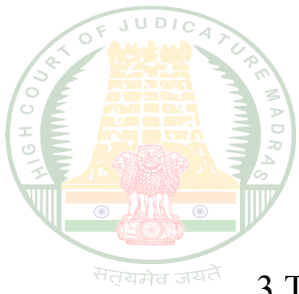
For Petitioner(s): Mr.R.Manickavel

For Respondent(s): Mr.K.Karthick Jagannath
Government Advocate

ORDER

This writ petition has been filed challenging the impugned order dated 02.06.2023 passed by the 3rd respondent and for a consequential direction to respondents to return back the original Sale Deed dated 03.02.2023 duly registered as Document No.585 of 2023.

2.Heard Mr.R.Manickavel, learned counsel appearing on behalf of the petitioner and Mr.K.Karthick Jagannath, learned Government Advocate appearing on behalf of respondents 1 to 3.

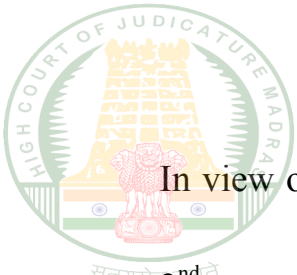


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3.The learned Government Advocate appearing on behalf of the respondent submitted that the appeal is now pending before the 2nd respondent under Section 47A(5) of the Stamp Act and therefore, the document cannot be released in favour of the petitioner.

4.The learned counsel for the petitioner submitted that the appeal is pending before the 2nd respondent from the year 2023 onwards and till date no orders have been passed and the document is also being retained by the 2nd respondent. Left with no other option, the petitioner approached this Court.

5.In the considered view of this Court, when the appeal is pending before the 2nd respondent, there is no scope for releasing the document in view of the law settled by the Division Bench of this Court in *Special Deputy Collector (Stamps), Palayamkottai, Tirunelveli District vs. M.Alfred and others* reported in **2017 2 CWC 896**. However, the 2nd respondent cannot keep the appeal pending endlessly and one way or the other, the petitioner has to get the relief.



In view of the same, this Court deems it appropriate to fix a time frame for the

2nd respondent to pass orders in the appeal that is pending.

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6. In the light of the above discussion, this writ petition is disposed of with a direction to the 2nd respondent to pass final orders in the appeal pending from 08.06.2023, within a period of four weeks from the date of receipt of copy of this order. No Costs. Consequently, connected miscellaneous petition is closed.

05-03-2025

(2/2)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To

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N.ANAND VENKATESH J.

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