



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 6857 of 2024

and

WMP No. 7649 of 2024

State Bank of India
Asset Recovery Management Branch,
No.144, Eldams Road, 1st Floor
Teynampet, Chennai 600 018.

Petitioner(s)

Vs

The Sub Registrar Office
Pallavaram.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the Refusal Check Slip dated 14.09.2023 in Refusal receipt No.RFL/Pallavaram/12/2023, on the file of the respondent and to quash the same and consequentially register the sale certificate dated 10.07.2023 issued in favour of Mr.O.M.Aneesh.



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For Petitioner(s): Mr.R.Imayavaramban
For M/s.Ramalingam and
Associates
For Respondent(s): Mr.U.Baranidharan,
Special Government Pleader

ORDER

The present writ petition is filed praying for a writ of Certiorarified Mandamus challenging the refusal check slip dated 14.09.2023, whereby the petitioner's sale certificate was refused on the ground that an order has been passed by Inspector General of Registration under Section 47A(6) of Indian Stamp Act, 1899, for deficit stamp duty.

2. It is submitted by the learned counsel for the petitioner that the petitioner was not aware of the order dated 16.05.2006 referred to in the impugned refusal check slip. Since the copy of the said order has not been furnished, the petitioner is unable to respond to the refusal check slip.

3. At this juncture, the learned Special Government Pleader appearing on



behalf of the respondent would submit that the copies of the order referred to in the impugned order will be furnished to the petitioner at their cost, which was agreed by the learned counsel for the petitioner.

4. This Court finds merit in the submission of the learned counsel for petitioner. Except for a reference to the order dated 16.05.2006, the refusal check slip is bereft of any other particulars. Therefore, it is necessary for the respondent/authority to issue a notice including the order/document dated 16.05.2006 relied upon by the respondent for refusal of registration. This process shall be completed within a period of two (2) weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. It is open to the petitioner to submit their response before the concerned authority within a period of two (2) weeks thereafter and represent the sale certificate. If the respondent is satisfied with the explanation, they shall proceed accordingly, if not, the registration may be refused by assigning reasons.



5. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

The Sub Registrar Office
Pallavaram.



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MOHAMMED SHAFFIQ J.

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