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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.8273 of 2025

M/s.Aaranya Farms
through its Partner, Mr.Koushik Ketharam,
having registered office at
Flat No.1723, Indus Anantya Zone-3,
No.34, Natham Link Road, Near Navalur
Toll, Egattur, Navalur, Chennai 600 130.

Petitioner

Vs

1. The Inspector General Of Registration,
100 Santhome High Road, Mandavelipakam,
Raja Annamalaipuram, Chennai 600 028.

2.Sub Registrar Chengalpattu Joint II
Sub Registrar Office, JCK Nagar,
Changalpattu, Paranur, Tamilnadu 603 002.

3.IIFL Home Finance Ltd
Rep By It Authorized Officer,
Branch Office at 3rd Floor, No.41,
1st Main Road, CIT Nagar,
Chennai - 600 032.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the 2nd respondent herein to file sale certificate dated 29.10.2024 as forwarded

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to the 2nd respondent in Book No.1 for properties having flat No B614, B616, A102, A607, B908, A122, A526, A921, A803, B113, A704, A1102, in Vijay Raja Exurb Perunthadalam Village, Thiruporur Taluk Chennai 603 108 situated in Survey Nos. 245/2B, 245/3A3, 245/3B3, 245/4A4, 245/4C4, 245/5D and 245/6D within the Sub Registration District of Chengalpet Joint- II within the registration district of Kancheepuram in accordance with S 89(4) of the Registration Act without requiring any stamp duty or registration fee.

For Petitioner : Mr.Tarun Rao Kallakuru

For Respondents : Mr.B.Vijay
Additional Government Pleader
[R1 & R2]

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O R D E R

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to accept the sale certificate dated 29.10.2024 and to make necessary entry in Book-I under Section 89(4) of the Registration Act without insisting for payment of the filing fees, stamp duty and registration fees.

2. Heard Mr.Tarun Rao Kallakuru, learned counsel for petitioner and Mr.B.Vijay, learned Additional Government Pleader appearing for respondents 1 and 2.

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3. The issue involved in the present writ petition is squarely covered by the earlier order passed by this Court in ***Sri Balaji Fibre v. Inspector General of Registration and others*** **[*2024 (6) CTC 70*]**. This Court has categorically held that insofar as receiving the sale certificate and making necessary entry in Book-I under Section 89(4) of the Registration Act is concerned, no stamp duty or registration fee is payable.

4. In the considered view of this Court, the filing fees which was insisted under G.O.Ms.No.28, dated 23.03.2023 has already been put to challenge and the Division Bench of this Court has entertained the writ petition and the operation of the said Government Order has been stayed by an order dated 13.04.2023. In view of the same, there is no question of insisting for payment of filing fees to receive the sale certificate in order to make necessary entry in Book-I.

5. In the light of the above discussion, there shall be a direction to the second respondent to receive the sale certificate dated 29.10.2024 and make necessary entry in Book-I under Section 89(4) of the Registration Act.

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N.ANAND VENKATESH, J

gm

This writ petition is allowed with the above direction. No costs.

28.03.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To

1. The Inspector General Of Registration,
100 Santhome High Road, Mandavelipakam,
Raja Annamalaipuram, Chennai 600 028.

2. The Sub Registrar Chengalpattu Joint II,
Sub Registrar Office, JCK Nagar,
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