



Writ Petition No.9115 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.9115 of 2025

Khivraj Motors Pvt Ltd
New No.418 Old No.617
Barath Kumar Bhavan,
Annasalai, Chennai 600006.
rep by its Director
Bharatkumar Chordia

Petitioner

Vs

1. The Sub Registrar
Joint II, Saidapet, No.9 Jeenis Road
Saidapet, Chennai 600015.

2.Kotak Mahindra Bank Limited
No.1885, 2nd Floor, Mount Road,
Anna Salai, Chennai 600006.
Rep By Its Authorized Signatory

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the 1st respondent to enter the sale certificate dated 28.11.2024 in Book I as per Section 89(4) of The Registration Act on the basis of the representation dated 27.01.2025 enclosing copy of the above sale certificate to the 1st respondent on 30.01.2025.



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For Petitioner : Mr.D.Abdullah
For Respondents : Mr.B.Vijay
Additional Government Pleader [R1]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to accept the sale certificate dated 28.11.2024 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.D.Abdullah, learned counsel for petitioner and Mr.B.Vijay, learned Additional Government Pleader appearing for first respondent.

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



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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 first respondent to receive the sale certificate dated 28.11.2024 and make the necessary entry in Book-I under Section 89(4) of the Registration Act.

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



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N.ANAND VENKATESH, J

gm

To

The Sub Registrar
Joint II, Saidapet, No.9 Jeenis Road
Saidapet, Chennai 600015.

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