



CMA.No.1211 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 17.03.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

**CMA No.1211 of 2024**

Lux Industries Ltd.,  
rep. by its Director Navin Kumar Todi,  
branch office at Door No.5/185-1,  
Avinashilingampalayam,  
Avinashi Taluk, Tirupur 641 654.

... Appellant

**Vs.**

1. The Tamil Nadu Chief Controlling Revenue Authority  
and Inspector General of Registration, Chennai.

2. The District Revenue Officer, Coimbatore.

3. The Sub Registrar, Avinashi, Tiruppur.

... Respondents

**Prayer:** Civil Miscellaneous Appeal filed under Section 47 A(10) of the Indian Stamp Act to set aside the order dated 13.02.2024 made in Na.Ka.No.44007/N2/2022 on the file of the Tamil Nadu Chief Controlling Revenue Authority and Inspector General of Registration, Chennai (first respondent).



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For appellant: Mr.S.Mukunth, Senior Advocate  
for M/s Sarvabauman Associates

For Respondents: Mr.C.Sathish, Government Advocate

### **JUDGMENT**

The learned Senior Counsel appearing for the appellant would submit that the appellant wants to withdraw the appeal with liberty to work out his remedy available under law.

2. The learned counsel for the appellant also filed a memo, dated 18.10.2024 seeking permission of this court to withdraw the appeal with liberty to file a writ petition, challenging the impugned order passed by the first respondent, dated 13.02.2024. The memo filed by the counsel for the appellant reads as follows.

*The appellant had filed the above civil miscellaneous appeal against the order passed by the first respondent dated 13.02.2024 under Section 56 of the Indian Stamps Act. The respondent filed counter and contended that the appeal is not maintainable because, there is no appeal remedy available against the order passed under Section 56 of Indian Stamp Act. It has thus now become necessary to file a writ petition challenging the said order upon withdrawing the above civil miscellaneous appeal for*



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*proper and effective adjudication. Ends of justice therefore requires that this Hon'ble Court may be pleased to dismiss the civil miscellaneous appeal as withdrawn with liberty to file a writ petition and further direct the registry to return the original impugned order so as to file the same along with writ petition.*

3. The submission made by the learned counsel and the memo is recorded.

4. This civil miscellaneous appeal is dismissed as withdrawn with liberty to the appellant to work out his remedy, if any, available under law. The Registry is directed to return the original impugned order to the counsel for appellant. Connected civil miscellaneous appeal is closed.

**17.03.2025**

Index : Yes/No  
Speaking order : Yes/No  
Neutral citation : Yes/No  
mst

**To**

1. The Tamil Nadu Chief Controlling Revenue Authority and Inspector General of Registration, Chennai.
2. The District Revenue Officer, Coimbatore.
3. The Sub Registrar, Avinashi, Tiruppur.



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**S.SOUNTHAR, J.**

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