



WEB COPY



WP.No.33973 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

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THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

WP.No.33973 of 2019 and
WMP.No.34563 of 2019

R.Sivaprakasam

... Petitioner

Vs

1.Chief Controlling Revenue Authority/
Inspector General of Registration,
No.100, Santhome High Road, Chennai 600 028.

2.Special Deputy Collector,
Stamps, Vellore 632 009.

3.Sub Registrar,
Odugathur 632 103, Vellore District

... Respondents

Prayer :-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus Calling for the records relating to the proceedings dated 26/08/2014 passed in M.M.No.35452 /N3 /2014 on the file of the 1st respondent herein and to quash the same and to direct the respondents 2 and 3 to release the sale deed dated 23/07/2008 registered as document No.846 of 2008 on the file of the 3rd respondent

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herein, to the petitioner, within a time frame as may be fixed by this Court.

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For Petitioner : M/s.Elizabeth Ravi

For Respondents : Mr.U.Baranidharan,
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 26.08.2014 thereby dismissing the appeal on the ground of limitation as against the order passed by the second respondent as the petitioner ought to have filed an appeal before the first respondent within a period of 60 days, however it was filed after period of two years.

2. The learned Special Government Pleader appearing for the respondents vehemently objected that the petitioner failed to file appeal in time before the first respondent. That apart, the petitioner filed this writ petition after period of five years from the date of the order passed by the first respondent. Therefore, the petitioner is not entitled to any relief.

3. However, on perusal of the affidavit filed in support of the writ petition, it is revealed that the petitioner was not communicated the order passed by the second respondent. The order was obtained belatedly and thereafter appeal was filed before the first respondent. Even after dismissal



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of the appeal by the first respondent, the petitioner submitted representation to the second respondent to review the order passed by the second respondent since the subject land is an agricultural land and accordingly stamp duty was valued and paid. As such, in order to give one more opportunity to the petitioner to pursue the appeal on merits, the impugned order dated 26.08.2014 of the first respondent is set aside and the appeal is remanded back to the first respondent for fresh consideration. The first respondent is directed to issue notice to the petitioner and, after giving opportunity of hearing to him, to pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of this order.

4. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

08.10.2025

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Index: Yes/No
Neutral citation: Yes/No
Speaking/Non speaking



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G.K.ILANTHIRAIYAN, J.

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To

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2.Special Deputy Collector,
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