



W.P(MD)No.7469 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.7469 of 2023

M/s.Equitas Small Finance Bank Limited,
Represented through its
Authorized Officer,
Nos.10 & 14, T.S.No.220,
Kamarajar Salai,
Munichalai,
Madurai.

... Petitioner

Vs

1.The Sub Registrar,
Nagamalai Pudukottai,
Madurai.

2.The Tahsildar,
Madurai West,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to refund the stamp duty and registration fee a sum of Rs.1,50,240/- paid for registration of sale certificate executed by the petitioner in respect of the property comprised in Survey No.45/1C1 part, Karadipatti Village, Madurai West Taluk, Madurai within the time frame stipulated by this Court.

*(Prayer amended vide order dated 20.01.2025
in W.M.P(MD)No.18855 of 2024)*



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For Petitioner : Mr.VP.Rajan

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This Writ Petition has been filed by the petitioner for a direction directing the first respondent to refund the stamp duty and registration fee a sum of Rs.1,50,240/- paid for registration of the sale certificate executed by the petitioner in respect of the property comprised in Survey No.45/1C1 part, Karadipatti Village, Madurai West Taluk, Madurai within the time frame stipulated by this Court.

2.Originally, the petitioner filed a Writ Petition for a direction directing the second respondent to issue no objection certificate for registration and consequently to direct the first respondent to register the sale deed in respect of the property comprised in Survey No.45/1C1 Part, Karadipatti Village, Madurai West Taluk, Madurai which is presented by the petitioner's bank dated 05.01.2023 within time frame stipulated by this Court.

3.While pending the Writ Petition, the petitioner came to understand that the subject property does not belong to one



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Sivakumar, who borrowed a loan. Therefore, the petitioner filed an amendment petition to amend the prayer for a direction directing the first respondent to refund the stamp duty and registration fees which were paid during the presentation of the sale certificate for registration.

4.Considering the same, the first respondent is directed to return the sale certificate to the petitioner along with the amount paid by the petitioner as stamp duty and registration fees in respect of the property comprised in Survey No.45/1C1 part situated at Karadipatti Village, Madurai West Taluk, Madurai, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

**20.01.2025
(1/2)**

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

- 1.The Sub Registrar,
Nagamalai Pudukottai,
Madurai.
- 2.The Tahsildar,
Madurai West,
Madurai.



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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.7469 of 2023

20.01.2025
(1/2)