



W.P.(MD).No.10899 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD).No.10899 of 2025

1.A.Ranjitham

2.N.Udhaya

.. Petitioners

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road,
Chennai – 600 028.

2.The District Registrar,
Virudhunagar District,
Virudhunagar.

3.The Sub -Registrar,
Office of the Sub -Registrar,
Thiruthangal,
Sivakasi Taluk,
Virudhunagar District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 1st respondent herein to dispose of the appeal filed by the petitioners on 23.12.2024 within a stipulated time to be fixed by this Court.

For Petitioners : Mr.M.Thirunavukkarasu

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate



W.P.(MD).No.10899 of 2025

ORDER

The petitioners seek for issuance of Mandamus to direct the first respondent herein to dispose of the appeal filed by the petitioners on 23.12.2024 within a stipulated time to be fixed by this Court.

2. The second petitioner settled the property in favour of her grandmother, who is the first petitioner. The document was registered on 30.07.2024 in Document No.5078/2024. The alienation was for 5/11th share, that was possessed by the second petitioner in and over the property, in favour of the first petitioner.

3. Treating the alienation of share as a sale on the ground that the grandmother is not a part of the family, the second respondent passed an order on 21.10.2024, demanding deficit stamp duty and registration charges. Challenging the same, the petitioners have preferred a statutory appeal to the first respondent on 23.12.2024. Since the same was kept pending, they have come forward with the present Writ Petition.

4. Mr.M.Thirunavukkarasu for the petitioners, relying upon the judgment of the Honourable Mr.Justice Vinod K.Sharma in ***K.Thilak Kumar and another Vs. Chief Controlling Revenue Authority and Inspector General of Registration, Chennai and another, (2013) 4 MLJ***



W.P.(MD).No.10899 of 2025

359, pleaded that the grandmother is a part of the family and therefore, the order impugned before the first respondent is erroneous.

5. When the matter came up for admission, Mr.N.Ramesh Arumugam, learned Government Advocate, took notice for the respondents. He pleads that appeals are taken up by the first respondent only on seniority basis and therefore, the petitioners can await their turn.

6. I have carefully considered the submissions of both sides. I have gone through the records.

7. The objections that have been raised by the Department are seemingly covered by the judgment of a Division Bench of this Court in ***T.Muthubalu Vs. the Inspector General of Registration and another, 2014 (5) CTC 265***. However, I am not rendering a final opinion on the issue as the said matter is not pending before me. Considering the fact that the impugned order is seemingly covered by the order of the Division Bench, I am inclined to direct the first respondent to take the appeal out of turn and dispose of the same at the earliest.

8. Accordingly, the Writ Petition stands ordered. There shall be a direction to the first respondent to dispose of the appeal filed by the



W.P.(MD).No.10899 of 2025

petitioners within a period of four (4) months from the date of receipt of a copy of this order. There shall be no order as to costs.

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22.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

- 1.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome High Road,
Chennai – 600 028.
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W.P.(MD).No.10899 of 2025

V.LAKSHMINARAYANAN,J.

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W.P.(MD).No.10899 of 2025

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