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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2025

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P.(MD) No.15252 of 2025

and

W.M.P(MD)Nos. 11527 to 11529 of 2025

Ramalingam

... Petitioner

Vs.

1. The Special Deputy Collector (Stamps),
Thanjavur, Thanjavur District.

2. The Joint II Sub Registrar,
Registration Department, Myladuthurai,
Myladuthurai District.

3. The Special Tashildar (Stamps),
Thanjavur, Thanjavur District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Certiorari***, to call for the records of the relating to the impugned order passed by the 1st respondent by his proceedings in Tha.Pa.No.189/2024, dated 06.02.2025, and quash the same as illegal.



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For Petitioner : M/s.G. Karnan
For Respondents : Mr.D.Sasi Kumar,
Additional Government Pleader

ORDER

This writ petition is filed for writ of Certiorari to quash the impugned order, dated 06.02.2025.

2. Heard M/s.G. Karnan, the Learned Counsel for the petitioner, Mr.D.Sasi Kumar, the Learned Additional Government Pleader for the Respondents and perused the material documents available on record.

3. According to the petitioner, the value of the property is Rs.10,00,000/-. He has purchased Rs.70,000/- stamps, but the respondents are disputing the value and refused to release the documents. If there is any discrepancies in the value of the stamp, then the respondents are having power under Section 47A of the Indian Stamp Act to refer the matter to Stamp Collector. The respondents cannot insist the petitioner to pay and thereafter, only the documents would be released.



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4. Therefore, this Court is of the considered opinion that the respondents are bound to release the documents by referring the matter to the Stamp Collector under Section 47A of the Act. The respondents are directed to release the documents. The petitioner has already preferred an appeal before the Inspector of Registration. The Inspector of Registration shall consider and dispose of the appeal within a period of three months from the date of receipt of a copy of this order.

5. With these observations, this writ petition is disposed off.
No Costs. Consequently, connected miscellaneous petitions are closed.

06.06.2025

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

KSA

Note : Issue copy of order on 11.06.2025



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To

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Thanjavur, Thanjavur District.
2. The Joint II Sub Registrar,
Registration Department, Myladuthurai,
Myladuthurai District.
3. The Special Tashildar (Stamps),
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S.SRIMATHY, J

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