



WEB COPY

WP No. 10189 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 10189 of 2026 AND WMP NO. 11022 OF 2026

K.Saravanan

..Petitioner(s)

Vs

The Sub Registrar
Office of the Sub- Registrar,
PALLIPALAYAM-638 006,
Namakkal District.

..Respondent(s)

To call for the records and quash the Impugned Letter dated 12.02.2026 bearing Na.Ka. No.25/2026 issued by the Respondent and Consequentially direct the Respondent to file the copy of the Sale Certificate dated 10.10.2025 issued in favour of the petitioners by the Tamilnadu Mercantile Bank Ltd., Pallipalayam Branch in Book 1 without levying stamp duty, registration Charges and filing fees.

For Petitioner(s): Mr.D.Ambarish

For Respondent(s): Mr.U.Baranidharan,SGP

Order

This writ petition has been filed, challenging the impugned letter dated 12.02.2026 issued by the respondent.



2. Under the impugned letter, the respondent has directed the Authorised Officer of Tamil Nadu Mercantile Bank Limited to pay necessary stamp duty, registration charges, filing fees, while presenting the sale certificate for registration.

3. The petitioner is a successful bidder in the auction sale conducted under the SARFAESI proceedings. He claims that the sale certificate does not require registration as per law. He relies upon certain decisions rendered by this Court, which enable him to register the sale certificate without payment of stamp duty, registration charges and filing fees.

4. This Court is not expressing any opinion with regard to the judgments relied upon by the petitioner. Admittedly, the petitioner or the Authorised Officer of the Tamil Nadu Mercantile Bank Ltd. has not been heard by the respondent before the respondent had called upon the Authorised Officer of the Tamil Nadu Mercantile Bank Ltd. to pay the stamp duty, registration charges and filing fees, when they presented the sale certificate for filing.

5. Mr. U. Baranidharan, learned Special Government Pleader accepts notice on behalf of the respondent.



6.No prejudice would be caused to any of the parties if a direction is issued to the petitioner to submit a written explanation to the respondent stating as to why the petitioner is not liable to pay stamp duty, registration charges and filing fees for the subject sale certificate along with supporting documents/ authorities, within a period of one week from the date of receipt of a copy of this order and a direction is also issued by this Court to the respondent to take a final decision on the petitioner's request, after giving due consideration to the authorities/supporting documents relied upon by the petitioner, within a time frame to be fixed by this Court.

7.This Court is not expressing any opinion on the merits of the respective contentions.

8.For the foregoing reasons, since the impugned letter dated 12.02.2026 has been passed in violation of principles of natural justice, the same is hereby quashed and this writ petition is disposed of by directing the petitioner to submit a written explanation to the respondent stating as to why the petitioner is not liable to pay stamp duty, registration charges and filing fees for the subject sale certificate, within a period of one week from the date of receipt of a copy of this order. On receipt of the same within the stipulated time, the respondent, after giving due consideration to the written explanation, submitted by the petitioner and the authorities relied upon by him, shall take a final decision whether to



accept the request of the petitioner or not within a period of 4 weeks thereafter.

In case the respondent decides to reject the petitioner's request, the respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioner as well as the supporting authorities produced by him.

Consequently, connected WMP is closed. No costs.

23-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VGA



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To

The Sub Registrar
Office of the Sub- Registrar,
PALLIPALAYAM-638 006,
Namakkal District.



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ABDUL QUDDHOSE J.

VGA

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