



WEB COPY

Writ Petition No.13071 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

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THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

Writ Petition No.13071 of 2026

L.Praveen Kumar
S/o.Late.J.Loganathan

..Petitioner

Vs

1. The Inspector General of Registration,
No.100, santhome High Road,
Mandavelipakkam, R.A.Puram,
Chennai - 600 028.
2. The District Registrar,
Tambaram District Registrar Office,
Mudichur Road,
Tambaram West, Chennai - 600 045.
3. The Sub Registrar,
Guduvanchery Sub Registrar Office, Guduvanchery,
Chennai - 603 202.
4. The District Collector,
Kancheepuram Collectorate,
Tamil Nadu - 631 501.
5. The Sub Collector/Revenue Divisional Officer (Stamps),
Kancheepuram Collectorate,
Tamil Nadu.
6. The Block Development Officer,
Kundrathur.
7. The Tahsildar,
Kundrathur Taluk,
Kancheepuram District.



8. The Municipal Commissioner,
Kundrathur Municipality Office,
No.1, Lalachathiram Road,
Kundrathur, Chengalpattu.

..Respondents

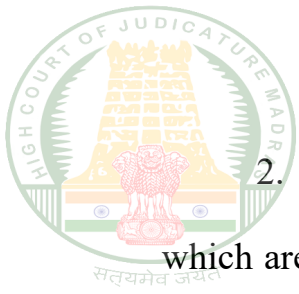
Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus directing the respondents to refund the stamp duty and registration fee totalling for a sum of Rs.40,42,022 (Rupees Forty Lakhs Forty-Two Thousand and Twenty-Two only) paid for the fraudulent sale deeds Doc Nos.(1)7071/2021 dated 08.06.2021 (2)7070/2021 dated 08.06.2021 (3) 11718/ 2020 dated 14.12.2020 (4) 11711 of 2020 dated 14.12.2020 (5) 5161 of 2020 dated 31.07.2020 (6) 5162 of 2020 dated 31.07.2020 (7) 4474 of 2020 dated 18.06.2020 (8) 4473 of 2020 dated 18.06.2020 (9) 4472 of 2020 dated 18.06.2020 (10) 4476 of 2020 dated 12.06.2020 (11) 4471 of 2020 dated 18.06.2020 registered on the file of SRO-Guduvancherry.

For Petitioner : Mr.N.Pachaiyappan
for Ms.P.Devi Sai Monica

For Respondents : Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed seeking for a direction to the respondents to refund the stamp duty and registration fee totalling a sum of Rs.40,42,022/- to the petitioner.



2. According to the petitioner, the sale deeds executed in his favour, which are more fully disclosed in the prayer to this writ petition, are fraudulent sale deeds. According to the petitioner, without having knowledge that the lands, which are the subject matter of the sale deeds more fully disclosed in the prayer to this writ petition, fell in the OSR limits, the petitioner had purchased the said properties. Therefore, according to the petitioner, the sale deeds executed by the seller in favour of the petitioner, which are more fully disclosed in the prayer to this writ petition, are fraudulent sale deeds. The petitioner had paid a sum of Rs.40,42,022/- towards stamp duty for the execution and registration of the aforesaid sale deeds. Since the sale deeds executed in favour of the petitioner are null and void, the petitioner is entitled for refund of stamp duty and registration fee paid towards the subject sale deeds totalling a sum of Rs.40,42,022/-. The petitioner had given a representation to the respondents seeking for refund of the aforesaid sum, which has not been considered by the respondents. In such circumstances, this writ petition has been filed.

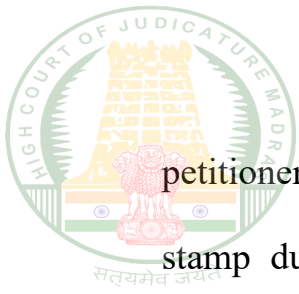
3. The subject sale deeds are of the year 2020-2021. Admittedly, the civil Court has not declared the sale deeds as null and void. The petitioner has also approached this Court only in the year 2026, whereas the subject sale deeds are of the year 2020-2021. Unless and until, the Registration Department is having the benefit of a civil Court judgment declaring the sale deeds as null and void, the question of directing the respondents to refund the stamp duty and



registration fee to the petitioner does not arise. Further, for cancellation of the sale deeds, which are the subject matter of this writ petition, only a civil Court can give such a relief as the relief sought for by the petitioner requires oral and documentary evidence. Only if the sale deeds are declared to be null and void by the civil Court with the aid of oral and documentary evidence, the petitioner's representation seeking for refund can be directed to be considered by the respondents on merits and in accordance with law. The petitioner is not having the benefit of any civil Court judgment declaring the sale deeds as null and void.

4. For the foregoing reasons, a writ petition cannot be entertained when the sale deeds, which are more fully disclosed in the prayer to this writ petition, have not been declared as null and void through a civil Court judgment. If at all, the only remedy available to the petitioner is to approach the civil Court to declare the sale deeds as null and void. This writ petition is not maintainable as this Court cannot grant relief as prayed for in this writ petition under Article 226 of the Constitution of India.

Accordingly, this writ petition is disposed of as not maintainable by granting liberty to the petitioner to approach the civil Court to declare the sale deeds more fully disclosed in the prayer to this writ petition as null and void and in case, the petitioner succeeds in the civil suit, liberty is granted to the



petitioner to give a representation to the respondents seeking for refund of the stamp duty and the respondents shall consider the same on merits and in accordance with law. No costs.

15-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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Chennai - 600 028.
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ABDUL QUDDHOSE, J.

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