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CMA No.1439 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2026

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

C.M.A.No.1439 of 2024

and

CMP.No.12549 of 2024

M/s.PCA AUTOMOBILES INDIA PVT. LTD.,
Rep. By its authorized signatory,
Mr.Subash Babu S,
Adigathur, Kadambattur Post,
Thiruvallur Taluk & District – 631 203.

... Appellant

Vs.

1.The Inspector General of Registration,
100, Santhom High Road,
Pattinapakkam, Chennai-600 028.

2.The Special Assistant Collector (Stamps)
Chennai District Revenue Office (Stamps)
Singaravelar Maligai,
Collectorate of Chennai,
2nd lane Beach Road,
Chennai- 600 001.

3.The District Registrar (Administration)
Office of the District Registrar,
Kancheepuram.

4.The Sub-Registrar,
Manavala Nagar,
Thiruvallur Taluk and District.

... Respondents



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PRAYER: Civil Miscellaneous Appeal filed under Section 47-A (10) of the Indian Stamp Act, 1899, prays to set aside the order dated 31.01.2024 in proceedings Na.Ka.No.1800/N1/2023, on the file of the 1st respondent.

For Appellant : Mr.P.H.Manoj Pandian, Senior Counsel
for AAV Partners

For Respondents : Mr.C.Sathish
Government Advocate

JUDGMENT

The appellant has filed this appeal to set aside the order dated 31.01.2024 in proceedings Na.Ka.No.1800/N1/2023, on the file of the 1st respondent.

2. The brief facts of the case:

The subject matter of the appeal, hereinafter referred to as the Schedule Property, comprises vacant land measuring a total extent of 2.47 acres, situated in Melnallathur Village and Adhigathur Village, Tiruvallur Taluk, Tiruvallur District, Tamil Nadu, covered under Patta Nos. 40 and 27. The lands are comprised in various survey numbers and extents as follows: Survey No. 19 (0.44.50 hectares / 1.10 acres) and Survey No. 20 (0.04.50 hectares / 0.11 acres) in Melnallathur Village; and Survey Nos.



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250 (0.03.50 hectares / 0.09 acres), 264 (0.16.00 hectares / 0.40 acres), and 265 (0.31.00 hectares / 0.77 acres) in Adhigathur Village, aggregating to a total extent of 2.47 acres.

3. Originally, the said lands belonged to the Government and were classified as “Vandipathai” and “Salai”, forming part of an old road stretch situated within the premises of M/s. Hindustan Motor Finance Corporation Limited (HMFL). HMFL proposed to discontinue the usage of the old road and, in lieu thereof, offered to construct a new road along the outskirts of its premises at its own cost and to hand over the same to the Highways Department in exchange for the Government lands occupied by the old road. Accordingly, the exchange was effected through G.O. (Ms.) No. 132, Revenue & Disaster Management Department (Land Disposal Wing – LD 1(2)) dated 10.04.2018, whereby Government lands measuring 2.47 acres in the aforesaid survey numbers were transferred to HMFL in exchange for patta lands measuring 2.35 acres classified as Manavari in Survey Nos. 16/16B and 261/3B, belonging to HMFL, subject to the condition that the differential market value of Rs. 7,70,000/- be paid by HMFL to the Government.



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4. While so, the appellant's company proposed to purchase the entire property owned by HMFL, including the scheduled property. Accordingly, the appellant executed the sale deed dated 15.05.2018 with HMFL for a total consideration of Rs.2,57,38,054 (page No.21, para 7) and presented the said sale deed for registration on 07.02.2019 on the file of R4 Sub-Registrar, Manavalan Nagar, and the same was assigned Pending Document No.251/18. The market value of the property was arrived at Rs.238.99 per square ft., and the said market value was fixed based on a similar sale deed executed by HMFL in favour of the appellant's company pertaining to the land situated in Melnallathur Village and other nearby villages. Thereafter, Section 47-A(1) proceedings were also initiated, and stamp duty was fixed by the DRO, and the market value was finally arrived at Rs.240 per square meter, and the deficit was also paid, and those documents were released.

5. In respect of the scheduled property, the fourth respondent referred the scheduled property to the third respondent / DRO for determination of the guideline value of the sale, without assigning any valid reason or justification, and Rs.600 per square ft. was arrived at as the

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guideline value of the subject property by classifying the said land as

Industrial Estate, Type III. Pursuant to the same, R4 issued notice calling upon the appellant to pay the deficit stamp duty of Rs.27,21,364/-. But the appellant requested R3 to refer the matter to the second respondent under Section 47-A of the Indian Stamp Act for fixation of the correct value. For that, the second respondent issued Form No.1 and Form No.2 notices, wherein the appellant duly raised his objections along with supporting documents. In spite of all the valid objections, the second respondent, by order dated 20.12.2022, without proper application of mind and without inspection of the subject property, fixed the guideline value at Rs.600 per square ft. Against the said fixation, the appellant preferred an appeal before the IG Registration, on the ground that the guideline value of the subject property was arrived at in an arbitrary manner, without considering the actual nature of the land. But his grounds were not considered, nor was any proper enquiry conducted, and the order of the second respondent was confirmed. Aggrieved by the same, the present revision is preferred.

6. The learned counsel for the appellant argued that the first respondent failed to state any reason or justification as to how the value of Rs.600 per square ft. was arrived at, and only made vague observations



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without reference to any relevant document, merely stating that the value was fixed based on the location of the property, and as such the same is illegal and erroneous and liable to be set aside. The learned counsel further argued that the first respondent and other authorities failed to consider the lands surrounding the subject property, as well as the value of the land in the year 2018, and also failed to consider the similar sale deeds executed by the appellant with HMFL, wherein the guideline value was fixed at Rs.238 per square ft., but without considering all the relevant materials, the respondent authorities fixed the guideline value at Rs.600 per square ft, which is illegal and liable to be set aside. Hence, he prayed to allow the revision.

7. To support his contention, the learned counsel for the appellant relied upon the following authorities: (i) *the Judgment of this Court in C.M.A. No. 2345 of 2023 (Ride Master Rims Private Limited vs. Inspector General of Registration and Chief Controlling Revenue Authority and others)*; (ii) the common order passed in W.P. Nos. 18768, 19296 & 20788 of 2017 (*M/s. Hindustan Motor Finance Corporation Ltd., Adigathur vs. The District Registrar, Kancheepuram District and others*); (iii) *the Judgment of this Court (Madurai Bench), reported in*

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MANU/TN/3252/2017 (*The Special Deputy Collector (Stamps),*

Palayamkottai and others. vs. M. Alfred and others); and (iv) the Judgment of the Hon'ble Supreme Court in Civil Appeal Nos. 75 & 76 of 2025 (*Chief Revenue Controlling Officer-cum-Inspector General of Registration and others vs. P. Babu*).

8. By way of reply, the learned Government Pleader submitted that the subject land pertaining to the sale deed dated 15.10.2018 was undervalued at the time of purchase made by the appellant. Form-1 notice was properly issued under Rule 4 of the Tamil Nadu Stamp (Prevention of Undervaluation of Instrument) Rules 1968, read with Section 47(A) of the Indian Stamp Act, 1899, (Tamil Nadu Amendment Act 24 of 1967) pertaining to the sale deed dated 15.10.2018, which comprised survey numbers with an extent of 2.47 acres. As those lands did not have any guideline value earlier, the Sub-Registrar, Manavalan Nagar (R4) referred the matter to the District Registrar to ascertain the guideline value of those properties, and accordingly the guideline value in respect of the subject matter of the sale was fixed at Rs.600 per square ft., by classifying the land as industrial land, Type-III, by considering the location of the property as well as the usage of the property, along with other surrounding



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amenities and developments in and around the property, and also taking into consideration the value of the adjacent lands.

9. Further, Form-2 notice was also issued giving sufficient opportunity to submit objections, wherein the appellant also raised objections stating that the land in question was compared with the value of other lands without considering the fact that the land in question was already classified as industrial land. The nature of the transaction between the parties also clearly reflects that the nature of the land was analysed after due inspection, and the authorities concerned, after inspection, also found that the appellant company was partly using the said land for industrial purpose. Therefore, the guideline value was rightly fixed, which requires no interference, and hence prayed to dismiss the revision.

10. On considering the submissions made on both sides, the fixation of Rs.600 per square ft. by the respondent authorities is under challenge. According to the appellant, the authorities failed to consider the lands surrounding the subject property in the same village and also the similar sale deeds executed between the appellant and his vendor HMFL, wherein the guideline value was fixed at Rs.238 per square ft. after due enquiry,



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but for the land in the same area, now fixed at Rs.600 per square ft., which is claimed to be illegal.

11. But, as rightly pointed out by the learned Government Pleader, the subject land is situated adjacent to the appellant's automobile company on the Northern side, and the factories are also situated very near to Tiruvallur Street, Sriperumbudur, National Highways, and near another automobile company, Caterpillar, and many car manufacturing companies and oil factories, and the said land is used for parking vehicles, and in and around there are no residential house properties surrounding the subject land, and only factories, companies and industrial lands are situated, as per the direct inspection made by the respondent authorities. This fact has not been challenged by the appellant, though they stated that the other land purchased by him was valued at Rs.238 per square ft., but the same cannot be considered for the subject land, for the reason that the subject land is surrounded by industrial lands, and more particularly the subject property is also used for parking the cars used by the nearby manufacturing companies. The land is undoubtedly industrial land. Therefore, the respondent authorities, after considering the surrounding factories as well as the usage of the property, rightly fixed the guideline value at Rs.600 per



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square ft., after giving due opportunity to the appellant.

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12. Since the property is an industrial land comprised in various survey numbers, the guideline value fixed by the authorities requires no interference, and the same is justified. **Accordingly, the Civil Miscellaneous Appeal is dismissed**, confirming the order passed by the first respondent, with a direction to pay the deficit stamp duty within a period of eight weeks. The authorities relied on by the appellant are not applicable to the facts of the present case, as the facts are totally different from the case on hand. Consequently, the connected miscellaneous petition is closed.

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Index:Yes/No
Speaking/non Speaking order
Neutral Case citation: yes/no
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To

- 1.The Inspector General of Registration,
100, Santhom High Road,
Pattinapakkam, Chennai-600 028.
- 2.The Special Assistant Collector (Stamps)
Chennai District Revenue Office (Stamps)
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Office of the District Registrar,
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- 4.The Sub-Registrar,
Manavala Nagar,
Thiruvallur Taluk and District.
- 5.The Section Officer, V.R. Section,
High Court of Madras.



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T.V.THAMILSELVI, J.

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