W.P.(MD) No.34638 of 2025

D.BHARATHA CHAKRAVARTHY, J.

This case is listed under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. It is brought to the notice of this Court by the learned counsel for the petitioner that in the order dated 05.03.2026, by which this Writ Petition was disposed of, there are typographical errors in the first paragraph, in typing the prayer, as well as in the sixth paragraph, wherein instead of Document No.1823 of 2017, Doc.No.1822 of 2017 and Document No.553/2003 have been wrongly typed.

3. In view of the same, the Registry is directed to correct the mistake in the prayer typed in the first paragraph and in the sixth paragraph as Document No.1823 of 2017 and to issue and upload the corrected copy.

25.03.2026

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D.BHARATHA CHAKRAVARTHY, J.

JEN

W.P.(MD) No.34638 of 2025

25.03.2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05-03-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD).No.34638 of 2025

B.Subash ... Petitioner

Vs.

1. The Inspector General of Registration,
   No.100, Santhome High Road,
   Chennai 600 028.

2. The District Registrar,
   The District Registrar Office,
   Sivagangai District.

3. The Sub- Registrar,
   Manamadurai,
   Sivagangai District.

4. The Deputy Collector (Stamps),
   Virudhunagar,
   Virudhunagar District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a writ of mandamus or any other appropriate writ, order, or direction in the nature of a writ, directing the 2nd and 3rd Respondents to remove all Encumbrances / Remarks pertaining to Section 47-A of the Indian Stamp Act and modify the consideration value as Rs.

11,83,990 in the Encumbrance Certificate of the Doc. No. 1823 of 2017 on the file of the 3rd Respondent in the light of the proceedings of the 4th Respondent in Pa.Mu. Tha. Pa.No. S2/382/17 Dated 18.06.2018 and Endorsement of the 3rd Respondent Dated 27.07.2018.

For Petitioner	:	Mr.M.Divakaran
For R1 to R3	:	Mr.M.Gangatharan Government Advocate

ORDER

The writ petition is filed for the following relief:-

"Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the 2nd and 3rd Respondents to remove all Encumbrances / Remarks pertaining to Section 47-A of the Indian Stamp Act and modify the consideration value as Rs.13,70,130/- in the Encumbrance Certificate of the Doc.No.1822 of 2017 dated 31.10.2017 on the file of the 3rd Respondent in the light of the proceedings of the 4th Respondent in Pa.Mu.Tha.Pa.No.S2/382/17 dated 18.06.2018 and Endorsement of the 3rd Respondent dated 27.07.2018 within a stipulated time and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice."

2. Heard Mr.M.Divakaran, learned counsel for the petitioner and Mr.M.Gangatharan, learned Government Advocate, who takes notice for the respondents.

3. By consent, the writ petition is taken up for final disposal at the admission stage itself.

4. The grievance of the petitioner is that when the petitioner presented the document for registration, the same was referred under Section 47-A(1) of the Indian Stamp Act. Subsequently, the petitioner accepted the deficit stamp duty and paid a sum of Rs.23,600/- towards the deficit stamp duty and a sum of Rs.13,532/- towards the deficit registration charges. However, despite such payment, the Encumbrance Certificate still reflects that a sum of Rs.16,91,500/- is due and payable. The said entry has not been expunged from the Encumbrance Certificate till date. Hence, the petitioner is before this Court.

5. When the matter came up for hearing today, the learned Government Advocate for the respondents by producing the Encumbrance Certificate would submit that it is true that originally such remark is made. However, it is further reflected in the remarks column that a sum of Rs. 23,600/- towards the deficit stamp duty and a sum of Rs.13,532/- towards the deficit registration charges have been received. Therefore, the statement would virtually mean that the original query which is made above has been resolved and nothing further is due in respect of the petitioner document.

6. Recording the same that no further amount is recoverable in respect of the Document No.553/2003 and the fact that subsequent development namely appropriate stamp stamp duty and registration charges were determined and the payment in respect thereof is also recorded, the writ petition is disposed of. No costs.

05.03.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
rgm

To

1. The Inspector General of Registration,
   No.100, Santhome High Road,
   Chennai 600 028.

2. The District Registrar,
   The District Registrar Office,
   Sivagangai District.

3. The Sub- Registrar,
   Manamadurai,
   Sivagangai District.

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