

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30/01/2003

CORAM

THE HON'BLE MR.JUSTICE P. SATHASIVAM

WRIT PETITION No.810 of 2003

P. Ganesan ... Petitioner

-Vs-

1. The Inspector General of Registration,
120, Santhome High Road,
Chennai 28.

2. The Registrar,
Office of the Sub-Registrar,
Adyar, Chennai 20.

3. The Special Deputy Collector (Stamps),
Collector Office,
V Floor, Singaravelar Maligai,
Rajaji Salai, Chennai.1. ... Respondents

Writ Petition under Article 226 of the Constitution of India for issue
of a writ of mandamus as stated therein.

For Petitioner : Mr.S.Sethuraman

For Respondents : Mr.D.Krishnakumar, Spl.Govt.Pleader

:ORDER

The petitioner has approached this Court to issue a writ of mandamus
directing the respondents to deliver the sale deed dated 11.12.2002 bearing
Document No.2628 of 2002 registered on the file of the second respondent.

2. On direction, the learned Special Government Pleader takes notice
for the respondents.

3. It is the grievance of the petitioner that though the second
respondent has registered the sale deed dated 11.12.2002 as Document No.2628
of 2002, the document has not been returned till date.

4. Considering the grievance expressed and in the light of the order
passed by a Division Bench of this Court in W.A.M.P.Nos.4665 and 466 6 of 2002

in W.A.Nos.2751 and 2752 of 2002, this writ petition is disposed of with the following directions:-

- (i) The respondents are directed to return Document No.2628 of 2002 with an endorsement that the matter in issue is pending before the Special Deputy Collector (Stamps) under Section 47A(1) of the Registration Act;
- (ii) The petitioner is to furnish security in the form of immovable property to the extent of the difference amount in the stamp duty to the satisfaction of respondents 2 and 3;
- (iii) The petitioner is to file an affidavit undertaking not to alienate or encumber the property in question till the payment of additional stamp duty, if any.

On fulfilling the above conditions, respondents 2 and 3 are directed to return Document No.2628 of 2002. No costs.

30.01.2003.

Index:Yes

Internet:Yes

To

1. The Inspector General of Registration,
120, Santhome High Road,
Chennai 28.

2. The Registrar,
Office of the Sub-Registrar,
Adyar, Chennai 20.

3. The Special Deputy Collector (Stamps),
Collector Office,
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Rajaji Salai, Chennai.1.

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