WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.17251 of 2026
and
WMP No.18531 of 2026

1. K.Saravanan
2. V.Palanivel
3. P.Saravanan
4. G.Kushal Jain
5. S.Vijayaraghavan
6. K.Gurupatham
7. S.Prakash
8. D.Aakash
9. G.Jayalalitha
10. V.Thangapandiyan

..Petitioner(s)

Vs

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

2. The District Collector,
   Ranipet,
   Ranipet District.

3. The District Registrar,
   Ranipet Registration District,
   Ranipet District.

4. The Sub Registrar
   Arcot,
   Ranipet District.

..Respondent(s)

RAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records in

https://www.mhc.tn.gov.in/judis
IBC Laws | www.ibclaw.in

WEB COPY

Refusal check slip No.13178/2025 dated 13.10.2025 on the file of the Sub Registrar, Arcot/4th respondent and quash the same as illegal, incompetent, without jurisdiction and further direct the respondents to register and release the document No.P/Arcot/102/2025 on the file of the Sub Registrar, Arcot/4th respondent and further direct the respondents to re-fund the excess stamp duty and registration fee collected within stipulated time period fixed by this Court.

For Petitioner(s): Mr.B.Singaravelan,
Senior Counsel
for Mr.M.Muruganantham

For Respondent(s): Mr.K.Kumaran,
Additional Government Pleader

ORDER

The present writ petition has been filed challenging the Refusal check slip No.13178/2025 dated 13.10.2025 on the file of the Sub Registrar, Arcot/4th respondent and for a direction to respondents to register and release the document No.P/Arcot/102/2025 on the file of the Sub Registrar, Arcot/4th respondent and direct the respondents to re-fund the excess stamp duty and registration fee collected within stipulated time period fixed by this Court.

2. Learned Senior Counsel appearing for petitioners would submit that petitioners purchased the property comprised in Survey No.224/1, measuring an extent of 61 cents, in Survey No.224/1B, measuring an extent of 30 ½ cents and in Survey No.224/1B1 measuring an extent of 20 cents, situated at DasipuramVillage, Arcot Taluk, Ranipet District by way of an auction

https://www.mhc.tn.gov.in/judis
IBC Laws | www.ibclaw.in

WEB COPY

conducted under SARFAESI Act. Pursuant thereof, sale certificate was issued in favour of petitioners with respect to subject property and the same was presented for registration before the fourth respondent. He would submit that insofar as sale certificate is concerned, the stamp duty would have to be discharged on the basis of the value disclosed in the sale certificate at 5 + 1 %, the same has also been discharge and in this regard, he would place reliance on a Division Bench judgment of this Court in the case of *M/s.Vijayalakshmi Marketing v. State of Tamil Nadu*, reported in *2024(4) MLJ 754*, wherein it held as under:

> *"9. In view of the above categoric pronouncement of the Hon'ble Supreme Court we conclude that the impugned action of the Sub-Registrar viz., the 3rd respondent are unwarranted and against law. The learned Single Judge however dismissed the writ petition at the admission stage itself and concluded that it will be open to the petitioner to raise all the issues in the 47-A proceedings. Unfortunately the attention of the learned Single Judge was not drawn to the recent pronouncement of the Hon'ble Supreme Court in Registrar of Assurances and another Vs. ASL VYAPAR Private Ltd. & another (supra). Hence, we are forced to interfere with the order of the learned Single Judge.*
>
> *10. In fine, the writ appeal is allowed the order of the learned Single Judge dismissing the writ petition is set aside. The demand made by the sub-Registrar is also set aside. The 47-A proceedings are quashed. All duty collected from the appellant except the duty of 5% + 1% i.e., found payable as per the judgment of this Court in Bell Tower Enterprises LLP, Rep. by its Managing Partner Vs. State of Tamil Nadu, Rep. by its Secretary to Government (Supra) will be refunded to the petitioner with interest at 9% from the date of payment till date of repayment. It is seen that the petitioner has also paid a sum of Rs.74,50,000/- towards additional duty in the proceedings under Section 47-A of the Stamp Act. The said sum will also be refunded to the petitioner with interest at 9% from the date of payment viz., 22.03.2024 till date of repayment. No costs. Consequently, the connected miscellaneous petitions are closed."*

https://www.mhc.tn.gov.in/judis
IBC Laws | www.ibclaw.in

WEB COPY

3. Learned Senior Counsel for petitioners would submit that the sale certificate dated 13.10.2025 which has been presented for registration before fourth respondent is kept pending for more than a year despite the fact that appropriate stamp duty has been paid on the consideration reflected in the sale certificate. He would submit that the retention of the document is without jurisdiction.

4. Leaned Additional Government Pleader for respondents would submit that they would consider and release the sale certificate dated 13.10.2025, after registration, if it is otherwise in order, in accordance with law, within a period of two weeks from the date of uploading of web copy without waiting for the receipt of certified copy.

5. Recording the same, this Writ Petition stands disposed of. It is made clear that this Court has not expressed any views with regard to the merits of the case. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

18-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MRN

https://www.mhc.tn.gov.in/judis
IBC Laws | www.ibclaw.in

WEB COPY

To

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

2. The District Collector,
   Ranipet,
   Ranipet District.

3. The District Registrar
   Ranipet Registration District,
   Ranipet District.

4. The Sub Registrar
   Arcot, Ranipet District.

https://www.mhc.tn.gov.in/judis
IBC Laws | www.ibclaw.in

WEB COPY

MOHAMMED SHAFFIQ, J.

MRN

WP No. 17251 of 2026

18-08-2026

https://www.mhc.tn.gov.in/judis
IBC Laws | www.ibclaw.in