

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 24673 of 2005 (K)

PETITIONERS :

1. RAM KUNNATHPUTHIYA PURAYIL MUSTHAFA HAJEE,
S/O.MOOSANKUTTY HAJEE, REPRESENTED BY HIS
POWER OF ATTORNEY KADAVANTAKATH PADIYIL SULEKHA,
D/O.HAMSAKKUNHI AGED 33 YEARS,
RESIDING AT PAPPINISSERY AMSOM,
AROLI DESOM, KANNUR.
2. KADAVANTAKATH PADIYIL SULEKHA,
D/O.HAMSAKKUNHI, AGED 33 YEARS, RESIDING AT
PAPPINISSERY AMSOM, AROLI DESOM, KANNUR.

BY ADVS.SRI.V.R.K.KAIMAL
SRI.N.M.MADHU

RESPONDENTS :

1. THE COMMISSIONER OF LAND REVENUE,
PUBLIC OFFICE BUILDING, TRIVANDRUM.
2. THE DISTRICT REGISTRAR (GENERAL),
GUNDERT ROAD, THALASSERY, KANNUR DISTRICT.
3. THE SUB REGISTRAR,
VALAPATTANAM SUB REGISTRY OFFICE, KANNUR DISTRICT.

BY SR.GOVERNMENT PLEADER SRI.SOJAN JAMES

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
03-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS :-

- EXT.P1 : COPY OF THE G.O. DTD.8.10.1960.
- EXT.P2 : COPY OF THE SALE DEED NO.12/2004 OF SRO,
VALAPATTANAM.
- EXT.P3 : COPY OF THE LETTER DTD.24.9.2004 ISSUED BY THE 2ND
RESPONDENT.
- EXT.P4 : COPY OF THE REPLY SUBMITTED BY THE PETITIONERS ON
14.10.2004 BEFORE THE 1ST RESPONDENT.
- EXT.P5 : COPY OF THE ORDER DTD.2.11.2004 OF THE FIRST
RESPONDENT.
- EXT.P6 : COPY OF THE REVISION FILED BY THE PETITIONERS BEFORE
THE FIRST RESPONDENT.
- EXT.P7 : COPY OF THE INTIMATION DTD.18.4.2005 ISSUED BY THE
FIRST RESPONDENT.
- EXT.P8 : COPY OF THE ORDER DTD.18.5.2005 OF THE THIRD
RESPONDENT.
- EXT.P9 : COPY OF ENVELOPE IN WHICH EXT.P8 ORDER WAS
DESPATCHED.

RESPONDENTS' EXHIBITS :- NIL

True copy

P.A to Judge

ANIL K.NARENDRAN, J.

W.P.(C)No.24673 of 2005

Dated this the 3rd day of July, 2015

JUDGMENT

The petitioners, who are members of M/s.Western India Tiles and Bricks Manufacturing Workers Industrial Co-operative Society, have filed this Writ Petition seeking a writ of certiorari to quash Ext.P8 proceedings of the 3rd respondent by which the petitioners were directed to remit the entire stamp duty and penalty in respect of Ext.P2 sale deed bearing No.P2/04 of SRO Valapattanam, a document executed by the Co-operative Society in which they are members, pursuant to an auction conducted in respect of an extent of 1.6 acres of land.

The issue raised in this Writ Petition is squarely covered against the petitioner in the light of the judgment of this Court in **Sub Registrar, Palakkad & others Vs. Kerala State Co-operative Consumers Federation Ltd. 2015(1) KLJ 227** (in which I was a party).

In the result, this writ petition fails and the same is dismissed.

ANIL K.NARENDRAN, JUDGE

skj