

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

WP(C).No. 18759 of 2012 (T)

PETITIONER(S):

PERINGANDOOR SERVICE CO-OPERATIVE BANK LTD NO. 297,
REPRESENTED BY ITS PRESEDENT, P.O. ATHANI,
MULAKUNNATHUKAVU, THRISSUR DISTRICT

BY ADVS.SRI.P.N.MOHANAN
SMT.I.VINAYAKUMARI

RESPONDENT(S):

1. DISTRICT REGISTRAR
OFFICE OF THE DISTRICT REGISTRAR, THRISSUR - 680001
2. SUB REGISTRAR,
VADAKKANChERI - 680 623, THRISSUR DISTRICT

R1 BY ADV. GOVERNMENT PLEADER SRI.GIKKU JACOB.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.18759/2012

PETITIONER(S) EXHIBITS

- EXT. P1 TRUE COPY OF THE RELEVANT PORTION OF THE BYE-LAW
- EXT. P2 TRUE COPY OF THE ORDER DATED 23-02-2011 OF THE GOVERNMENT GRANTING SHARE CAPITAL
- EXT. P3 TRUE COPY OF THE RESOLUTION NO. 1540/2010-11 DATED 31-12-2010
- EXT.P4 TRUE COPY OF THE ORDER DATED 28-02-2011 OF THE JOINT REGISTRAR
- EXT. P5 TRUE COPY OF THE OF THE AGREEMENT FOR SALE DATED 12-03-2011
- EXT. P6 TRUE COPY OF THE SALE DOCUMENT DATED 09-05-2011
- EXT. P7 TRUE COPY OF THE NOTIFICATION STATUTORY RULES & ORDERS NO 75/60 ISSUED UNDER G.O (MS) NO 795/60 DATED 08-10-1960 ISSUED BY THE GOVERNMENT
- EXT. P8 TRUE COPY OF THE NOTICE DATED 14-03-2012 OF THE FIRST RESPONDENT
- EXT. P9 TRUE COPY OF THE EXPLANATION DATED 30-05-2012 SUBMITTED BY THE BANK
- EXT. P10 TRUE COPY OF THE ORDER OF THE FIRST RESPONDENT DATED 08-06-2012
- EXT. P11 TRUE COPY OF THE NOTICE DATED 22-06-2012 OF THE SUB REGISTRAR, VADAKKANChERI
- EXT. P12 JUDGMENT DATED 2-02-2012 IN WPC NO 19009/2010

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.18759 of 2012

Dated this the 4th day of February, 2015

J U D G M E N T

Ext.P6 sale deed has already been registered without collecting stamp duty on the basis of SRO.75/60. Transactions already concluded need not be re-opened as per the decision in Sub Registrar v. Kerala State Co-operative Consumers Federation Limited [2015 (1) KLT 443 (FB)]. Therefore Ext.P10 order demanding stamp duty and Ext.P11 notice requiring the petitioner to pay the amount demanded are hereby quashed.

The writ Petition is allowed. No costs.

Sd/-
V.CHITAMBARESH,
Judge.

nj.