

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

WP(C).No. 26996 of 2015 (Y)

PETITIONER:

**NAZRI P.P, D/O.AHAMMAD,
PUTHIYAPARAMBAN HOUSE, KEEZHUR
IRITTY, KANNUR (DISTRICT) PIN-670 706.**

**BY ADVS.SRI.JIJI THOMAS
SMT.SMITHA MATHEW
SRI.JOHNY ANDREWS**

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
CIVIL STATION, KANNUR-670 002.**
- 2. SUB TREASURY OFFICER,
SUB TREASURY OFFICE,
IRITTY, KANNUR-670 703.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 26996 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 : A COPY OF THE JUDICIAL STAMP PAPERS DATED 18-1-2011.
- P2 : A COPY OF THE APPLICATION SUBMITTED BEFORE THE 1ST RESPONDENT
DATED 1-7-2011.
- P3 : A COPY OF THE COVERING LETTER ISSUED FROM THE OFFICE OF THE
1ST RESPONDENT.
- P4 : A COPY OF THE JUDGMENT IN WPC.NO.28044/14 DATED 10-11-2014.

RESPONDENTS' EXHIBITS: **NIL.**

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 26996 of 2015

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Dated this the 8th day of September, 2015

J U D G M E N T

The petitioner approached the first respondent for refund of value of unused Stamp Paper. Ext.P1 is the copy of the unused Stamp Paper.

2. The petitioner's case is that by oversight on the part of the 2nd respondent, Judicial Stamp papers were issued in stead of non Judicial Stamp Paper. It is submitted that she never used the above Stamp Paper and therefore she is entitled for refund of the amount covered by the unused Stamp Paper.

3. The petitioner also relies the judgment of this Court in W.P.C No.28044/14 wherein this Court considered a claim based on judicial stamp paper in similar circumstances. In the light of the above judgment, there shall be a direction to the District Collector, Kannur to consider the claim of the petitioner for refund of Ext.P1. The petitioner shall produce the copy of the judgment in W.P.C No.28044/14 along with this judgment before the District Collector

for compliance. This shall be done within 2 months from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE