

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC
&
THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

WP(C).No. 29135 of 2014 (N)

PETITIONER(S):

THE RAMAPURAM REGIONAL SERVICE CO-OPERATIVE BANK LIMITED
NO.4111 , RAMAPURAM BAZAR, RAMAPURAM, KOTTAYAM DISTRICT
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

1. THE DISTRICT REGISTRAR (GENERAL)
REGISTRATION DEPARTMENT, KOTTAYAM-686001.
2. THE SUB REGISTRAR
REGISTRATION DEPARTMENT, RAMAPURAM
KOTTAYAM DISTRICT-686001.

R BY SR GOVT PLEADER SRI.M.K.ABOOBACKER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 29135 of 2014 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF SRO 75/60.

EXHIBIT-P2: TRUE COPY OF THE DOCUMENT SUBMITTED BY THE PETITIONER TO
THE 2ND RESPONDENT FOR REGISTRATION.

/TRUE COPY/

PS TO JUDGE

ANTONY DOMINIC & ALEXANDER THOMAS, JJ.

W.P(C).No.29135 of 2014

Dated this the 20th day of February, 2015

JUDGMENT

Antony Dominic, J.

1. The petitioner, a co-operative society, approached this Court complaining that the respondents were declining to accept Ext.P2 sale deed for registration. The case of the petitioner is that being a co-operative society, it is eligible for the benefit of remission of stamp duty as provided in SRO.75/60. This Court passed interim order dated 10.11.2014 directing registration of the document without insisting on payment of stamp duty. According to the counsel for the petitioner, the document has since been registered in compliance with the interim order passed by this Court.

2.The legal position in regard to SRO.75/60 has since been clarified by the Full Bench of this Court in its order in Sub Registrar, Palakkad v. Kerala State Co-operative Consumers Federation Limited, Kochi [2015 (1) KHC 17]. Therefore, this writ petition is disposed of directing that the claim of the

petitioner for the benefit of SRO.75/60 will be considered by the first respondent and orders thereon will be passed. If the order so passed requires payment of any amount, it will be open to the respondents to demand the same from the petitioner.

Writ petition is disposed of with the above directions.

Sd/-
ANTONY DOMINIC, Judge.

Sd/-
ALEXANDER THOMAS, Judge.

kkb.