

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

WP(C).No. 39730 of 2015 (M)

PETITIONER:

VINCY FRANCIS AGED 50 YEARS
W/O.FRANCIS,
KOTTACKAL HOUSE, NAYATHODE P.O.
ERNAKULAM DIST.-683 572

BY ADVS.SRI.AVANEESH KOYIKKARA
SRI.LINDONS C.DAVIS

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY IS SECRETARY,
DEPARTMENT OF TAXES,
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. INSPECTOR GENERAL OF REGISTRATION,
THIRUVANANTHAPURAM-695 001.
3. DISTRICT COLLECTOR,
COLLECTORATE, ERNAKULAM-682 030.
4. DISTRICT REGISTRAR,
ERNAKULAM - 682 018.
5. SUB REGISTRAR,
SUB REGISTRAR OFFICE, ANGAMALY -683 572.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).NO. 39730 OF 2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : COPY OF THE JUDGMENT DATED 24.07.2015 IN W.P.(C).NO.19033/14

EXT.P2 : COPY OF THE STAMP DUTY AND CHALLANS PAID ON SALE DEED
NO.3430/1/2014 OF SRO, ANGAMALY

EXT.P3 : COPY OF THE ORDER DATED 04.10.2014 PASSED ON FAIR VALUE APPEAL.

EXT.P4 : COPY OF REVISED FAIR VALUE PUBLISHED IN KERALA GAZETTE.

EXT.P5 : COPY OF THE APPLICATION DATED 10.12.2015 FOR REFUND OF EXCESS
STAMP DUTY AND REGISTRATION CHARGES.

RESPONDENT'(S) EXHIBITS: NIL

// TRUE COPY//

P A TO JUDGE

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A. MUHAMED MUSTAQUE, J.

W.P.(C).No. 39730 of 2015

Dated this the 23rd day of December, 2015

JUDGMENT

The petitioner submits that her objection in the fair value appeal has been affirmed by the District Collector, as per Ext.P3. Therefore, in the light of Ext.P3, the excess amount paid for stamp duty and registration charges shall liable to be refunded in the light of the directions in Ext.P1 judgment. The petitioner made a request before the District Registrar by Ext.P5.

2. This Court is of the view that the excess amount paid as stamp duty and registration charges shall be refunded in tune with Ext.P3 order of the District Collector. Needful shall be done within a period of three months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE