

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. 39772 of 2015 (V)

PETITIONER:

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

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

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF TAXES
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. INSPECTOR GENERAL OF REGISTRATION
THIRUVANANTHAPURAM-695 001.
3. DISTRICT COLLECTOR
COLLECTORATE, ERNAKULAM-682030.
4. DISTRICT REGISTRAR,
ERNAKULAM-682018.
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:

WP(C).No. 39772 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS

P1 : TRUE COPY OF THE JUDGMENT DT 24-7-2015 IN WPC.NO.19033/2014

P2 : TRUE COPY OF THE STAMP DUTY AND CHALANS PAID ON SALE DEED
NO.3429/2014 OF SRO, ANGAMALY

P3 : TRUE COPY OF THE STAMP DUTY AND CHALANS PAID ON SALE DEED
NO.3431/1/2014 OF SRO, ANGAMALY.

P4 : TRUE COPY OF THE ORDER DT 13-2-2015 PASSED ON FAIR VALUE APPEAL.

P5 : TRUE COPY OF THE REVISED FAIR VALUE PUBLISHED IN KERALA GAZETTE.

P6 : TRUE COPY OF THE APPLICATION DT 10-12-2015 FOR REFUND OF EXCESS
STAMP DUTY AND REGISTRATION CHARGES.

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A.TO JUDGE

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A. MUHAMED MUSTAQUE, J.

W.P.(C).No. 39772 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.P4. Therefore, in the light of Ext.P4, 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.P6.

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.P4 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