



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition(MD).No.15292 of 2016

and

W.M.P. (MD) .No.11268 of 2016

Murugesan

... Petitioner

Vs.

The Joint Sub-Registrar No.II,
Pattukottai,
Thanjavur District.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari calling for the records of the Respondent herein in pursuant to impugned notice dated Nil and quash the same.

For Petitioner : Mr.S.Deenadayalan

For Respondents : Mr.K.Mahesh Raja
Government Advocate

O R D E R

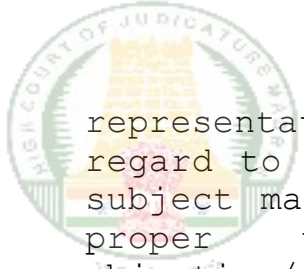
Heard both sides. By consent, the main writ petition itself is taken up for final disposal.

2. No counter is filed on behalf of the respondent.

3.It comes to be known that the Respondent had issued a notice dated NIL under Sections 27 and 64 of the Indian Stamp Act Act, 1899, requiring the petitioner to pay a total sum of Rs.1,06,208/- (Rupees One Lakh Six Thousand Two Hundred and Eight) towards stamp duty and registration charges within 15 days from the date of receipt of the said notice. Assailing the same, the petitioner has filed the present writ petition.

4. Earlier, the petitioner had issued a legal notice dated 27.02.2016, addressed to the Respondent, *inter alia* stating that there is no scope under the Indian Registration Act to claim the stamp duty etc, in respect of the consent deed in question.

5. It is to be noted that the issuance of legal notice by the petitioner is not a substitute, if any kind of



representation/petition being addressed to the Respondent in regard to the notice dated NIL, issued by the Respondent, in the subject matter in issue. Therefore, this Court deems it fit and proper to direct the petitioner to submit his objection/representation, in a detailed manner before the Respondent, within one week from the date of receipt of copy of this order. Thereafter, the Respondent is to consider the said representation in an objective and dispassionate manner and to dispose of the same on merits by advertng to each and every averment made by the petitioner, touching upon the subject matter in issue, within a period of four weeks thereafter. It is open to the petitioner to raise all the factual and legal pleas before the Respondent in the manner known to Law and in accordance with Law. The petitioner is also required to lend his assistance and co-operation to the Respondent/Joint Sub-Registrar No.II, Pattukottai, Thanjavur District., so as to enable him to do the needful in the subject matter in issue, within the time adumbrated by this Court.

6. With the aforesaid observation(s) and direction(s), the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Joint Sub-Registrar No.II,
Pattukottai,
Thanjavur District.

VS

TE/KP : 29/08/2016 : 2P/2C

Writ Petition (MD).No.15292 of 2016
and
W.M.P. (MD).No.11268 of 2016
18.08.2016