

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 19.10.2016****CORAM**

WEB COPY

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P(MD).No.2849 of 2013 and
M.P(MD).Nos.1 and 2 of 2013

K. Jayalakshmi

... Petitioner

Vs.

The Sub Registrar of Assurances,
Kovilpatti,
Tuticorin District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the notice dated 28.01.2013 on the file of the first respondent and to quash the same and direct the respondent to register the pending document No.P77/12 on his file, in accordance with law and return the document duly registered to the petitioner within the time frame as may be fixed by this Court.

For Petitioner : Mr.S.Subbiah

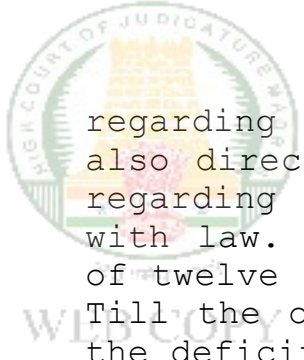
For Respondent : Mr. V. Muruganandam
Additional Government Pleader

ORDER

The petitioner challenged the order passed by the respondent directing him to pay the deficit Stamp Duty of Rs.50,000/- for registering the document in the absence, the matter will be considered under Section 47 of the Indian Stamp Act.

2. According to the petitioner, as per the award passed by the Lok Adalat in case No.128 of 2012, dated 03.11.2012, the petitioner has paid a sum of Rs.16,015/-, before the respondent along with registration fees, for registering the document. On receipt of the amount, the respondent did not register the document and sent notice to the petitioner directing him to pay stamp duty of Rs.50,000/- and withheld the document for registration.

3. Considering the facts and circumstances, the petitioner is directed to appear before the respondent and raise his objections



regarding the alleged deficit stamp duty and the respondent is also directed to consider his objection and pass suitable orders, regarding the payment of Stamp Duty, on merits and in accordance with law. The whole exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. Till the orders passed, the respondent is directed not to demand the deficit stamp duty.

4. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(R)

/True copy/

Sub Assistant Registrar

To

The Sub Registrar of Assurances,
Kovilpatti,
Tuticorin District.

Trp

CSL/RR/SAR-II/07.03.2017 : 2P/2C

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