

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.25819 OF 2016

ORDER:

This writ petition is filed challenging the proceedings No.E2/515/2015 dated 29.02.2016 issued by the 2nd respondent wherein the petitioner was asked to pay the stamp duty and penalty on the un-registered sale agreement.

Learned counsel for the petitioner submits that no reasons were assigned for imposing the penalty and in support of his contention he relied on judgment passed by this Court in ***Government of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department and others***^[1].

Heard the learned Assistant Government Pleader for Revenue.

It is to be seen that the authorities have not assigned any reason before imposing the penalty. Even the impugned order does not speak that any notice was issued to the petitioner before passing it.

In view of the same, the impugned order dated 29.02.2016 is set aside and the 2nd respondent is directed to issue notice to the petitioner calling for objections if any, and on filing such objections, the 2nd respondent shall consider the same and pass appropriate orders thereon in accordance with law by keeping in view the judgment passed by this Court in ***Government of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department and others***.

Accordingly, the writ petition is allowed to the extent indicated above. No costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

16-08-2016

dv

[\[1\]](#) 2013 (3) ALT 138