

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

WRIT PETITION NO.30876 OF 2017

**ORDER:**

1. Petitioner challenges the notice issued to him on 29.06.2017 by the District Registrar (second respondent) directing payment of stamp duty of Rs.18,900/- and penalty of ten times.
2. Learned counsel for the petitioner contends that the District Registrar treated the document as if agreement of sale coupled with possession and therefore, treated as a sale document in demanding such stamp duty whereas what was presented referred to him by the trial Court was only an agreement of sale.
3. After hearing the matter for some time, both counsel agreed for disposal of the Writ Petition with the following order.
4. Since the District Registrar has come to conclusion treating the document placed before him as an agreement of sale coupled with the possession and treating it as sale document without giving the petitioner an opportunity to explain, the District Registrar is directed to treat the notice dated 29.06.2017 as a show cause notice. He shall inform the petitioner to file response within fifteen days from the date of receipt of a copy of this order. The petitioner shall submit his response to the said notice informing the District Registrar on the nature of document presented before him and on submission of such response, the District Registrar shall consider independently, uninfluenced by his earlier decision in demanding higher stamp duty treating the document as sale deed and on such consideration, by assigning due reasons in support of his decision, shall take decision within fifteen days thereafter.

5. Subject to the above, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

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**(P.NAVEEN RAO, J)**

13<sup>th</sup> September 2017  
RRB

