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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.04.2019
CORAM:
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P.(MD)No.8150 of 2019 and
W.M.P.(MD)No.6405 of 2019

V.A.Balakrishnan ... Petitioner

Vs.

1. The Special Deputy Collector-Stamps,
   Collectorate, Thanjavur.

2. The Sub-Registrar,
   Maharnombuchavadi Sub Registrar Office,
   Thanjavur. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the first respondent in S.R.Sl.No.210/2019 47A(1) (Stamps) dated 31.01.2019 and quash the same as illegal, arbitrary, against the provisions of the Act and Rules and also against the principles of natural justice.

For Petitioner : Mr.K.Soundararajan
For Respondents : Mr.M.Murugan,
Government Advocate.

***

O R D E R

Heard the learned counsel on either side.

2. The petitioner has been saddled with the impugned order dated 31.01.2019 calling upon him to pay the deficit stamp duty. The grievance of the Writ petitioner is that the procedure laid down in the relevant rules has not been followed. This is evident from the fact that Form-I and Form-II were issued on the same date.

3. In view of the procedural violation, I am inclined to quash the order impugned in this Writ petition. Accordingly, the same is quashed. The Writ petition stands allowed. The matter is remitted to the file of the first respondent to pass orders afresh in accordance with law. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar(CS)

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To

1. The Special Deputy Collector-Stamps,
   Collectorate, Thanjavur.

2. The Sub-Registrar,
   Maharnombuchavadi Sub Registrar Office,
   Thanjavur.

+1cc to Mr.K.Soundararajan, Advocate, SR.No. 59638
+1cc to M/s.Special Government Pleader,SR.No.59887

W.P.(MD)No.8150 of 2019 and
W.M.P.(MD)No.6405 of 2019
05.04.2019

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KK/SAR/29.04.2019/ 2P- 5C

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