THE HON'BLE SRI JUSTICE P.NAVEEN RAO

<u>WRIT PETITION No.27084 OF 2019</u>

<u>Date:10.12.2019</u>

Between:

Smt. Pasham Madhavi, W/o. P.Anantha
Reddy, aged about 43 years, Occ: Housewife,
R/o.H.No.8-6-53, Plot No.325,
Near Venkataramana Bus Stop,
FCI Colony, Vanastalipuram, R.R. District .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Revenue
(Registration & Stamps), Department,
Secretariat, Hyderabad and others .. Respondents

The Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue for the respondents.

2. Petitioner challenges the notice, dated 26.11.2019, issued by the Sub-Registrar, Choutuppal, Yadadri Bhongir District, the 3rd respondent, informing her that the declaration given by her on the market value on the lands proposed for alienation is not in accordance with the market value fixed for the subject property and directed her to pay higher stamp duty.

3. Petitioner alleges that the market value of the adjacent lands is shown as Rs.2,00,000/- and in view thereof, she has paid stamp duty on land to an extent of Acs.18.38 guntas in Survey No.43/1 of Rachakonda Village, Narayanpur Mandal, Yadadri Bhongir District. Therefore, the stamp duty paid by the petitioner is valid and the Sub Registrar cannot ask her to pay higher stamp duty.

4. However, the material on record would disclose that the market value was revised by a Committee of Officers of the Revenue Department and the Sub-Registrars w.e.f. 01.04.2013 and in respect of land in Survey No.43 of Rachakonda Village, the market value was fixed as Rs.14,52,000/- per acre and the same is also reflected in the online web site of the Registration Department. A copy thereof is filed at page No.20 of the writ petition material paper book. It may be true that for the adjacent lands, market value is shown as far less, but that cannot be a ground to ask the petitioner to pay higher stamp duty ignoring the market value to

Survey No.43/1. However, this revision is not under challenge. The Sub-Registrar is bound by the market value determined by the Revenue Department. Therefore, I do not see any error in the decision arrived at by the Sub-Registrar asking the petitioner to pay higher stamp duty as per the market value stipulated for the subject land. If petitioner is not satisfied with the determination of market value, it is open to her to work out her remedies as available in law. It is also open to the petitioner to make an application for extension of time fixed by the Sub-Registrar for paying the stamp duty.

5. The Writ Petition is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:10.12.2019
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