



W.P(MD)Nos.6406 of 2013 & 810 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.6406 of 2013 & 810 of 2015

and

M.P(MD)Nos.1 of 2013 & 1 of 2015

W.P(MD)No.6406 of 2013:

B.Subramanian

... Petitioner

Vs

The Joint Sub-Registrar,
Office of the Sub-Registrar,
Joint No.2,
Near Arch,
Near Taluk Office,
Opposite to Rathina Theatre,
Tirunelveli Town.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the respondent in respect of the undated impugned notice through postal card pertaining to the sale deed dated 08.03.2012 bearing document No. 1906/2012 registered on its file in the name of the Petitioner.



W.P(MD)Nos.6406 of 2013 & 810 of 2015

For Petitioner : No Appearance
For Respondent : Mr.D.Gandhiraj
Special Government Pleader

W.P(MD)No.810 of 2015:

B.Subramanian

... Petitioner

Vs

The Joint Sub-Registrar,
Office of the Sub-Registrar,
Joint No.2,
Near Arch,
Near Taluk Office,
Opposite to Rathina Theatre,
Tirunelveli Town.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the respondent dated 05.01.2015 in proceedings Na.Ka.No.1906/2012, quash the same, as the same is arbitrary, ultravires.

For Petitioner : No Appearance
For Respondent : Mr.D.Gandhiraj
Special Government Pleader

COMMON ORDER

None appears for the writ petitioner.



W.P(MD)Nos.6406 of 2013 & 810 of 2015

2. I went through the contents of the affidavit filed in support of the writ petitions.

3. The issue relates to demand of payment of deficit stamp duty. The contention urged in these writ petitions is that it is only the Special Deputy Collector (Stamps) who can demand payment of deficit stamp duty and that the registering authority cannot do so. This contention is not correct. Section 33 A of the Stamp Act empowers the registering authority to demand payment of deficit stamp duty. The contention anchored on jurisdiction fails.

4. It is also stated by the learned Special Government Pleader that the deficit stamp duty was recovered on 20.03.2015 itself. Nothing survives for further adjudication.

5. These writ petitions stand dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.08.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



WEB COPY



W.P(MD)Nos.6406 of 2013 & 810 of 2015

G.R.SWAMINATHAN, J.

MGA

To

The Joint Sub-Registrar,
Office of the Sub-Registrar,
Joint No.2,
Near Arch,
Near Taluk Office,
Opposite to Rathina Theatre,
Tirunelveli Town.

W.P(MD)Nos.6406 of 2013 & 810 of 2015
and
M.P(MD)Nos.1 of 2013 & 1 of 2015

18.08.2023