

This is the suit filed by the plaintiff for the relief of Declaration and permanent injunction against the defendants. The plaintiff has relied unregistered Sale deed dated 02.06.2014. The said document is unregistered and insufficiently stamped document. Hence, as per Karnataka Stamp Act, the Plaintiff has to pay deficit Duty and Penalty. Further, the said document produced by the plaintiff cannot be marked in evidence unless stamp duty is paid and said document can be admitted in evidence only on payment of stamp duty as payable on the unregistered sale deed. Under such circumstances, unless stamp duty is paid on the document as required to be paid on the unregistered sale deed, said document is not admissible in the evidence. In view of decision rendered by the Hon'ble Apex Court in Seetharama Shetty v. Monappa Shetty reported in 2024 INSC 650, it is just and necessary to refer unregistered sale deed dated:02.06.2014 to the District Registrar, Mysore for determination of the duty and penalty and also for collect the Duty and Penalty. Hence, this court proceed to pass the following,

ORDER

The unregistered agreement of sale dated:02.06.2014 stands impounded.

Office is directed to send the above said document to the district registrar, Mysore for determination of the duty and penalty and also for collect the Duty and Penalty with a direction to resend the said document after making necessary entry.

Await document. Call on 08.01.2026.

I Addl. Civil Judge & JMFC.,
Nanjanagudu.