

IN THE COURT OF THE DISTRICT MUNSIF, TIRUTTANI

Present : Tmt. R.D. Gurulakshmi, M.A., M.L., P.G.D.I & C.L.,

District Munsif, Tiruttani.

Dated the Thursday of 23rd Day of October 2025

I.A.No.6/2025 in OS.No.35/2021

(CNR.No.TNTR21-000040-2021)

P. Ramamurthy Naidu

...

...Petitioner/ Plaintiff

/Versus/

1. Ramammal (died)

2. Vasanthi

3. Jayanthi

4. Latha

5. Manikandan

6. The Tahsildar, Tiruttani

7. The Revenue Divisional Officer, Tiruttani

8. The District Collector, Tiruvallur

... Respondents /Defendants

This petition came up before me for final hearing on 07.10.2025 in the presence of M/s.C.A. Natarajan, Counsel for Petitioner/ Plaintiff, R1 died, M/s. P. Kuppan, Advocate for 2 to 5 Respondents/Defendants, R6 to R8 exparty in Suit. Upon hearing both sides and having stood over for consideration till this day, this court delivered the following:

ORDER

This petition is filed under Order 13 Rule 8 of CPC to permit to pay the stamp duty penalty for the sale deed dated 20.07.2015.

1. The averments of the petition in brief are as follows:-

The petitioner had purchased the suit properties from one Chengama Naidu and his wife Ramammal under unregistered sale deed dated 20.07.2015 and they handed over possession to the petitioner in respect of the suit properties. The said sale deed is not registered because the suit properties are Anadeenam and it belonged to the Government. The said sale deed is not marked on the petitioner's side for stamp duty non payment. Other side also filed one citation that the said document to be impounded. So the petitioner has to pay the stamp duty penalty so as to enable to mark it. As per citation filed by other side, the petitioner is ready to pay the stamp duty penalty. Hence, this petition is filed.

2. The counter filed on behalf of the 2 to 5 Respondents in brief:-

The petition is not maintainable either in law or on facts of the case. The suit properties are classified as Anadeenam land which is belongs to Government. The value of the suit properties is not furnished in the guideline value certificate and the value is given as Zero in the guideline value certificate. So any document in respect of Anadeenam land cannot be impounded by the concerned authorities for payment of stamp duty and penalty. So it is not not correct to state that the document may be impounded for payment of stamp duty and penalty as alleged by the petitioner/Plaintiff. There is no merits, bonafides or reasons in this petition. This vexatious petition is filed by the petitioner with a malafide intention to drag on the proceedings and to coerce and to harass these respondents from pillar to post without meeting the ends of justice. Hence this petition is liable to be dismissed with costs.

3. Point for determination:

Whether the petitioner is entitled to the relief as sought for? or not?

4. Heard both sides. According to petitioner, the petitioner purchased the suit properties from one Chengama Naidu and his wife Ramammal under unregistered sale deed dated 20.07.2015. The said sale deed is not registered because the suit properties are Anadeenam land. The said sale deed is not marked on the petitioner's side for non payment of stamp duty. So the petitioner has to pay the stamp duty penalty. Hence, the petitioner prays to allow this petition.

5. The 2 to 5 Respondents resisted the petition contending that the suit properties are classified as Anadeenam land which is belongs to Government. The value of the suit properties is not furnished in the guideline value certificate and the value is given as Zero in the guideline value certificate. So any document in respect of Anadeenam land cannot be impounded by the concerned authorities for payment of stamp duty and penalty. So it is not correct to state that the document may be impounded for payment of stamp duty and penalty as alleged by the petitioner/Plaintiff. There is no merits, bonafides or reasons in this petition. Hence the respondents pray to dismiss this petition.

6. This petition filed by the petitioner seeking permission to pay the stamp duty penalty for the sale deed dated 20.07.2015. This suit is filed for permanent injunction. The Respondents side stating that the suit properties are classified as Anadeenam land. The value of the suit properties is given as Zero in the guideline value certificate. So any document in respect of Anadeenam land cannot be impounded by the concerned authorities for payment of stamp duty and penalty.

7. The learned counsel for the respondent relied on 2014 SCC online Mad 529: (2014) 2 LW 263: (2014) 2 CTC 157: (2014) 138 AIC 621 : (2015) 1 Civ LT (CN) 16 in the High Court of judicature at Madras

“As per Section 33 of the Indian Stamp Act, a duty is cast upon the authority before whom, insufficiently stamped documents is produced, to impound the same. In the light of the judgments of the Hon’ble Apex Court and this Court, cited supra, the document not duly stamped cannot be looked into for any purpose, including for collateral purpose. In the case on hand, the petitioners had raised objection well before document was permitted to be marked.”

As per the citation the petitioner ready to pay the stamp duty penalty. In this case the above said judgment will not applicable. Since the suit land is classified as Anadeenam and the guideline value also given as Zero, this document can not be impounded. Considering the facts and circumstances, this court is of view that this petition has to be dismissed.

In the result, this petition is dismissed. No cost.

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 23rd day of October 2025.

District Munsif,
Tiruttani.

Petitioner and Respondent side Exhibits and witness: NIL

District Munsif,
Tiruttani.