

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 7<sup>TH</sup> DAY OF SEPTEMBER, 2011

BEFORE

THE HON'BLE MR.JUSTICE K. SREEDHAR RAO

WRIT PETITION NO.11622 OF 2010 (GM-CPC)

**BETWEEN:**

M/S.MAXWELL INDUSTRIES LTD  
A COMPANY INCORPORATED UNDER  
COMPANIES ACT, 1956  
HAVING ITS REGISTERED OFFICE AT C-6  
ROAD NO.22, MIDC  
ANDHERI (E)  
MUMBAI - 400 093.

BANGALORE OFFICE AT NO. 196  
4<sup>TH</sup> 'C' MAIN ROAD, 3<sup>RD</sup> BLOCK, 3<sup>RD</sup> STAGE  
BASAVESHWARANAGAR  
BANGALORE - 560 079  
REP BY ITS GPA HOLDER  
MR. T JANARDHANA REDDY.

...PETITIONER

(BY SRI: HARIKRISHNA S HOLLA, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
DEPARTMENT OF REVENUE  
VIDHANA SOUDHA, DR. AMBEDKAR VEEDHI  
BANGALORE - 560 001  
REP. BY SECRETARY

2. THE TAHSELDAR, BANGALORE NORTH TALUK  
BANGALORE.

3. MR RAJA JAYASHANKAR  
S/O LATE MR RAJA SRIKANTAJAH SETTY  
AGED ABOUT 69 YEARS  
'RAJA GALAXY', 124  
3<sup>RD</sup> MAIN ROAD, 3<sup>RD</sup> PHASE  
J P NAGAR, BANGALORE - 560 075.

...RESPONDENTS

(BY SRI: K M NATARAJ, ADDL. ADVOCATE GENERAL, ALONG WITH  
SRI: D VJAYA KUMAR, AGA, FOR RESPONDENT NOS.1 AND 2,  
SRI: VIVEK HOLLA, ADVOCATE FOR M/S.HOLLA & HOLLA,  
ADVOCATES FOR RESPONDENT NO.3.)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH ORDER DATED 15<sup>TH</sup> DECEMBER, 2006 PASSED IN O.S.NO.483/2002 BY THE CITY CIVIL COURT, BANGALORE, DIRECTING THE OFFICE TO CALCULATE STAMP DUTY AND PENALTY ON THE DOCUMENT CALLED 'AGREEMENT OF LEASE' AND FURTHER DIRECTING THE DEFENDANT TO PAY THE SAME VIDE ANNEXURE-F AND TO QUASH THE ORDER DATED 3.2.2007 PASSED IN O.S.NO.483/2002 VIDE ANNEXURE-F AND TO SET ASIDE THE PROCEEDINGS VIDE ANNEXURE-G DIRECTING THE PETITIONER TO PAY A SUM OF ₹4,42,200/- TOWARDS PENALTY OF STAMP DUTY BY THE TAHSILDAR, BANGALORE NORTH TALUK.

THIS WRIT PETITION COMING ON FOR PRELIMINARY HEARING 'B' GROUP THIS DAY, THE COURT MADE THE FOLLOWING:-

**ORDER**

In view of decision of this Court in W.P.No.8892/2010, the trial Court is directed to collect the deficit stamp duty and penalty of ₹5/-.

Accordingly, the writ petition is disposed of.

Sd/-  
JUDGE