Date of reserved for orders :
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Date of uploading :

APHC010865042018

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3333]
(Special Original Jurisdiction)

WEDNESDAY, THE 1st DAY OF JULY 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 41763/2018

Between:

1. RAJOLI VIMALA, W/O.SIVARAMI REDDY, AGED ABOUT 60 YEARS, OCC. HOUSEWIFE, R/O.BLOCK NO.AB-3, FLAT NO.107, SANSKRUTI TOWNSHIP, GHATKESAR, POCHARAM, SAMSKRUTHI, RANGA REDDY.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, REVENUE (ENDOWMENTS) DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DIST.
2. THE DISTRICT REGISTRAR, REGISTRATION AND STAMPS DEPARTMENT, SRI BALAJI REGISTRATION DISTRICT, TIRUPATI, CHITTOOR DISTRICT.
3. THE SUBREGISTRAR, RENIGUNTA, CHITTOOR DISTRICT.
4. THE COMMISSIONER OF ENDOWMENTS, GOVT. OF A.P., ONE CENTER, OPP. S GRAND RESTAURANT, GOLLAPUDI, VIJAYAWADA, KRISHNA DISTRICT, ANDHRA PRADESH - 521225.
5. SRI SWAMY HATHIRAMJEE MUTT, TIRUPATI, CHITTOOR DISTRICT, REPRESENTED BY ITS MAHANTH.
6. THE DISTRICT COLLECTOR, CHITTOOR DISTRICT AT TIRUPATHI.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased tototo issue a writ, order or a direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents Nos.1 and 4 issuing the proceedings No.Rc.No.M1/9580/2016, dated 05.07.2016 over the properties of the petitioner in respect of the land in the Sy.No.242, Plot No.2, admeasuring 392 sq. yards cents, situated at Padmavathipuram Grampanchayat, Tiruchanuru, Chittoor District as prohibited property for registration under section 22-A of Registration Act, 1908, as illegal, arbitrary, unreasonable, abuse of their power, without issuance of notice to the petitioner and contrary to the provisions of the Registration Act, and also against to the principles of natural justice and rights guaranteed by the Constitution of India and issue a consequently declare that the properties of the petitioners are alienable and further directing the Respondents Nos.2 and 3 to receive, register and release the document presented by the petitioner and pass

IA NO: 1 OF 2018

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent Nos.2 and 3 to receive and register the documents in respect of the land in the Sy.No.242, Plot No.2, admeasuring 392 sq. yards cents, situated at Padmavathipuram Grampanchayat, Tiruchanuru, Chittoor District, pending disposal of the writ petition and pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant leave to the Petitioner herein/ Respondent No.3 in the Writ Petition No.41763 of 2018 to file counter affidavit in the above Writ Petition and pass

Counsel for the Petitioner:

1. CH VENKAT RAMAN

Counsel for the Respondent(S):

1. GP FOR ASSIGNMENT (AP)
2. GP FOR ENDOWMENTS (AP)

The Court made the following:

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

> *"….to issue a writ, order or a direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents Nos.1 & 4 issuing the proceedings No.Rc.No. M1/9580/2016, dated 05.07.2016 over the properties of the petitioner in respect of the land in the Sy.No.242, Plot No.2 admeasuring 392 sq.yards cents, situated at Padmavathipuram Grampanchayat Tiruchanuru, Chittoor District as prohibited property for registration under section 22-A of Registration Act, 1908, as illegal, arbitrary, unreasonable, abuse of their power, without issuance of notice to the petitioner and contrary to the provisions of the Registration Act, and also against to the principles of natural justice and rights guaranteed by the Constitution of India and issue a consequently declare that the properties of the petitioners are alienable and further directing the Respondents Nos.2 & 3 to receive, register and release the document presented by the petitioner and pass…."*

2. Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue.

3. The case of the petitioner is that she is the absolute owner and possessor of the land in Sy.No.242, Plot No.2, admeasuring 392 square yards, situated at Padmavathipuram Grampanchayat, Tiruchanuru, Chittoor District, having purchased the same in the year 1986. It is further stated that

prior to the same, the said land was divided as housing plots and number of registrations took place in respect of the land in Sy.No.242 and the 5th respondent – Mutt is not having any right or title over the said land.

4. While so, it is the grievance of the petitioner is that respondents No.2 and 3 are refusing to receive the document presented by the petitioner in respect of the subject land for registration on the ground that the subject land is included in the prohibitory list maintained under Section 22-A of the Registration Act, 1908. Aggrieved by the said action, the petitioner has filed the present writ petition.

5. Respondent No.3 has filed counter affidavit stating that the land in Sy.No.242 to an extent of Ac.32.50 cents of Tiruchanur Village is notified in the list of prohibited properties furnished by the Commissioner of Endowments vide Letter No.M1/9580/2016, dated 05.07.2016, under Section 22-A(1)(c) of the Registration Act, 1908. Therefore, since the subject land is notified in the prohibitory list, the registration of the document is contrary to law and the petitioner has to approach the appropriate authority for deletion of the subject land from the prohibitory list. It is further contended that in fact, no document was presented by the petitioner for registration and if any document is presented, the same will be received and processed as per the provisions of Registration Act and relevant rules. It is, therefore, prayed to dismiss the writ petition.

6. In this regard, it is relevant to refer to Section 71 of the Act, which reads as follows:

> ***71. Reasons for refusal to register to be recorded.****-(1) Every Sub-Registrar refusing to register a document, except on the ground that the property to which it relates is not situated within his sub-district, shall make an order of refusal and record the reasons for such order in his Book No.2, and endorse the words "registration refused" on the document; and, on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded."*
>
> *(2) No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered.*

7. In the light of the above provision and in view of the stand taken by the 3rd respondent in the counter-affidavit that if any document is presented by the petitioner, the same will be received and processed as per the provisions of Registration Act and relevant rules, respondent Nos.2 and 3 are directed to receive and process the document(s), as and when presented by the petitioner for registration, in accordance with the provisions of Section 71 of the Act. If the document cannot be registered, the respondents shall pass appropriate orders in accordance with Section 71 of the Registration Act, 1908, so as to enable the petitioner to avail the statutory remedy of appeal under Section 72 of the said Act.

8. With the above directions, the Writ Petition is disposed of. No costs.

As a sequel, Interlocutory Applications pending, if any, in this Writ Petition, shall stand closed.

JUSTICE V.SUJATHA

Dated: 01.07.2026
Pmk

Whether the order is:

Speaking	✓	Reasoned	
Reportable		Non-reportable	✓

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THE HON'BLE SMT JUSTICE V.SUJATHA

W.P.No.41763 OF 2018

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Pmk