

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH

* * *

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION Nos. 39511 AND 39540 of 2015

BETWEEN

Peri Venkata Ramana

... PETITIONER

AND

The State of Andhra Pradesh, rep. by its Principal Secretary and others

...RESPONDENTS

Date of Order pronounced: 07.12.2015

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COMMON ORDER:-

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

2. Petitioner claims that he is the owner of the house site admeasuring 290 square yards in Survey No.108/4A situated at Bandarulanka Village, Amalapuram Mandal, East Godavari District. Petitioner has acquired the said property as a successor and legal representative of late Peri Sri Rama Murthy along with his son and sold the said property to the fourth respondent under registered sale deed dated 25.08.2012. It is further submitted that since there is an error in the sale deed, petitioner has executed a rectification deed and approached the third respondent to register the same. But the third respondent had refused to receive and register the said rectification deed.

Questioning the action of the third respondent, the present writ petitions are filed.

3. In terms of Section 22A of the Registration Act, the Sub-Registrar has to examine whether the document presented by the petitioner is to be registered, however, he cannot refuse to receive the document.

4. Similar batch of cases were disposed of by this Court in W.P.No.16384 of 2015 and batch by order dated 11.06.2015, which was also confirmed in W.A.No.1653 of 2013 dated 01.10.2013.

5. In the light of the above, these writ petitions are disposed of directing the third respondent to receive and process the document presented by the petitioner. The third respondent is further directed to receive and process the document in accordance with the Registration Act, 1908 and Indian Stamp Act, 1899 and if the document is in conformity with the provisions, thereafter register and release the document in accordance with the due procedure. It is also made clear that in the event of registering authority not being satisfied with the compliance under the Registration Act or the Stamp Act, appropriate refusal endorsement together with reasons shall be recorded and communicated to the parties in terms of Section 71 of the Registration Act.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

December 7, 2015

LMV