

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE NO.1941 OF 2015

Date: 04.12.2015

Between :

Meka Raghunatha Reddy s/o M.Narayana Reddy,
Aged about 46 years, R/o. D.NO.1-7, Main Road,
Nallamada Village & Mandal, Ananthapuramu Dist.

.... Petitioner

And

Sri S.Nasir, Sub-Registrar, Kadiri,
Ananthapuramu District

.... Respondent

This Court made the following :

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ORDER:

Petitioner filed W.P.No.12352 of 2014 challenging the endorsement of the Sub-Registrar, dated 23.12.2013 refusing to register the documents presented by the petitioner for the land to an extent of Ac.3.08 cents in Sy.No.1713/2C of Kadiri Village and Mandal, Ananthapuram District. Having regard to the fact that there were no pattadar pass books and title deeds to the total extent of land, this Court directed the Tahsildar to consider the request of the petitioner for grant of pattadar pass book after due verification of the claim. The Court also directed the Sub-Registrar to receive and process the deed of conveyance in accordance with the Registration Act, 1908 and Indian Stamp Act, 1899 and also give endorsement number as warranted by law, giving liberty to the petitioner to produce relevant documents as and when made available to him.

3. The Sub-Registrar by his letter dated 01.07.2015 informed the petitioner that the document is already returned as could not be processed for registration on the ground that the pattadar pass book and title deed is not produced and once the document is returned refusing registration, he cannot again entertain the document in view of the mandate of Sections 72 and 77 of the Registration Act and petitioner has to work out his remedy by approaching to Registrar in view of the mandate of Registration Act. Petitioner filed this contempt case alleging violation of the orders of this Court.

4. As seen from the letter dated 01.07.2015, the Sub-Registrar has stated the statutory mandate within which he is required to perform the responsibility as Sub-Registrar. When the statutory provision is clear and Sub-Registrar is acting in due compliance, it cannot be alleged that Sub-Registrar has violated the orders of this Court. This Court only directed to receive and process the document, whereas the document was already received and processed and an endorsement was issued assigning reasons for not registering the document. Furthermore, even according to the learned counsel for petitioner, the total extent of land in the document is Ac.3.08 cents and even by now there is no pattadar pass book and title deed issued

covering the entire extent of land and that only to partial extent of land, petitioner has obtained pattadar pass book and title deed. Thus, the said document cannot be registered. Thus, it cannot be said that the Sub-Registrar has violated the orders of this Court warranting continuation of the proceedings under the Contempt of Courts Act, 1971. Contempt Case is accordingly closed. However, it is always open to the petitioner to work out his remedies on the decision communicated by the Sub-Registrar or on any other grievance.

Miscellaneous petitions if any pending in the contempt case shall stand closed.

JUSTICE P.NAVEEN RAO

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