

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

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WRIT PETITION No.23821 of 2015

Between:

R.Rama Muni Reddy.

Petitioner

...

and

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

... Respondents

DATE OF JUDGMENT PRONOUNCED: **14.08.2015**

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether his Lordship wish to
see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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WRIT PETITION No.23821 of 2015

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ORDER:

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

Petitioner is aggrieved by the action of the 4th respondent in refusing to receive and register the documents relating to the property situated at Door No.2/855-8 to an extent of Ac.0-06 cents at Proddatur Municipality, Proddatur Town of YSR Kadapa District. Petitioner alleges that the said house property is entirely a private property. The petitioner possess title under registered sale deeds, dated 29.07.2000, 31.01.1994 respectively and obtained permission from the municipal authorities on 30.12.2002 and thereafter, construction has been taken up. Petitioner also states that he and his predecessors have been in possession and enjoyment of the property since 1922. The 4th respondent declined to receive and register the said documents allegedly on the ground that there is an intimation received from the 3rd respondent on 20.08.2014.

Learned Government Pleader for Revenue, on instructions, submits that survey No.315/1 admeasuring Ac.0-06 cents of Proddatur Village and Mandal is purely an Inam Patta dry land and thereby stands registered in the name of Sunku Venkatasubbaiah and three others under patta No.1009 as per R.S.R. of Proddatur Village. Learned Government Pleader has produced photo copies of documents in support of the same.

Since the petitioner's property in survey No.315/1 is a patta land, there is no reason for the 4th respondent in raising an objection to register the said documents.

Accordingly, the Writ Petition is disposed of directing the 4th respondent to receive and process the documents filed by the petitioner in accordance with the Registration Act, 1908 and Indian Stamp Act, 1899 and if the documents are in conformity with the provisions of the aforesaid enactments, thereafter, register and release the documents 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 Indian Stamp Act, appropriate refusal endorsement together with reasons shall be recorded and communicated to the petitioner in terms of Section 71 of the Registration Act.

VILAS V.AFZULPURKAR, J

AUGUST 14, 2015
YVL

THE HON’BLE SRI JUSTICE VILAS V.AFZULPURKAR

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