

HONOURABLE SRI JUSTICE S. V. BHATT

WRIT PETITION No. 1189 OF 2015.

DATED 28TH JANUARY, 2015.

BETWEEN

Atla Abnji Reddy

....Petitioner

And

The State of Andhra Pradesh,

Rep. by its Principal Secretary,

Revenue Department (Registrations),

Secretariat, Hyderabad and ors.

....Respondents.

HONOURABLE SRI JUSTICE S. V. BHATT

WRIT PETITION No. 1189 OF 2015.

ORDER:

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Heard learned Counsel for the petitioner and the Government Pleader.

This Writ Petition is filed for mandamus complaining inaction against fourth respondent in considering and disposing of protest petition/objections made on 07.01.2015 vide endorsement No.PP/2015 dated 07.01.2015 for stopping alienations and registrations of any extents in the land admeasuring Ac.1.26 cents in Sy.No.78-A, 77, 81 and 83/1 of Agathavarappadu village, Peddakakani Mandal, Guntur District as illegal and contrary to Rule 58 of A.P. Rules under the Registration Act, 1908.

I have perused the representation dated 07.01.2015 and also Rule 58 of A.P. Rules under the Registration Act, 1908. This Court is of view that the fourth respondent is required to consider the objections if only these objections come under the one circumstance or the other as stated under Rule 58 of the Rules. The tenor of the representation is in the nature of civil dispute between the parties. In such circumstance, fourth respondent cannot be compelled to consider the objections and pass appropriate orders under Rule 58 of the Rules. The Standing Orders issued by the Registration Department deal with these types of circumstances. If at all the party intends to prevent the Sub-Registrar from entertaining the application for registration, the procedure provided for is to obtain an injunction against the said party and communicate a copy of the injunction to the Sub Registrar. Only in such an event, the Sub Registrar is under obligation to consider representation.

The Writ Petition is without merits and is accordingly dismissed.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE S.V. BHATT

DATED 28TH JANUARY, 2015.

Msnr_x