

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.31940 OF 2015

ORDER :

The petitioners question the order dated 05.08.2015 of refusal passed by the Joint Sub Registrar-1, Kurnool-3rd respondent refusing to register the sale deeds and the same are kept as pending document P.Nos.409 and 410 of 2015 in view of the letter of the District Collector, Kurnool in Rc.E2/1509/2013, dated 03.01.2014 on the ground that the property in question relates to Christian Educational Properties.

Similar issue is subject matter of various writ petitions before this Court viz. W.P.No.17558 of 2015, which was disposed of on 18.06.2015 and W.P.No.28558 of 2015, which was disposed of on 09.09.2015. In the said writ petitions identical issue was examined. Learned counsel for the petitioners has brought to my notice that circular Memo No.G1/19131/2005, dated 01.12.2012 issued by the Commissioner and Inspector General of Registration and Stamps, A.P., Hyderabad, whereunder the Chief Commissioner of Land Administration and Special Chief Secretary to Government, A.P., has withdraw the instructions dated 03.05.2012 and the Commissioner and Inspector General of Registration and Stamps, A.P., Hyderabad also withdrawn the instructions issued in memo No.G1/19131/2005, dated 04.06.2012.

In view of the same, the refusal order cannot be sustained. Therefore, there shall be similar direction as in the above cases.

The writ petition is disposed of directing the Joint Sub-Registrar, Kurnool, to re-examine the documents presented by the petitioners and process the same in respect of their land, subject to the documents being in accordance with the requirements of the

Registration Act, 1908 and the Indian Stamps Act, 1899. Unless there is an order of injunction against the alienation of such properties or restraining the Joint Sub Registrar, Kurnool, from registering documents in connection therewith such order of injunction having been passed by a Court of competent jurisdiction, it would not be open to the Joint Sub-Registrar, Kurnool, to refuse the registration.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed.

VILAS V.AFZULPURKAR, J

28.10.2015
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