

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

* * *

WRIT PETITION No. 35652 of 2015

BETWEEN

G.Venkata Suresh Babu and another

... PETITIONERS

AND

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

...RESPONDENTS

Date of Order pronounced: 02.11.2015

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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ORDER:-

Heard.

2. The grievance of the petitioners is that the sale deed, which they propose to register, is with respect to a land, which was sold by the State

Financial Corporation (SFC) under Section 29 of the SFC Act and the petitioners have purchased the same from the auction purchaser. Petitioners also state that other sale deeds were already registered with respect to the very same land, but the fifth respondent is neither informing the basic value nor is receiving the document for registration on the ground that the land is notified under Section 22-A of the Registration Act, 1908. Questioning the action of the fifth respondent in refusing to entertain the document, petitioners are before this court by this writ petition.

3. *Prima facie*, since the land appears to be a patta land and not notified under Section 22-A, the registering authority is required to receive and process the document presented by the petitioners in accordance with law. Further, petitioners have not presented the document for registration and the registering authority cannot refuse to receive the document and process the same even before presentation. Hence, the petitioners are at liberty to present the document as directed by this court in similar matters.

4. The issue raised in this writ petition is similar to the one considered by this court in W.P.No.23239 of 2015 dated 03.08.2015.

5. The writ petition is disposed of directing the fifth respondent to furnish valuation certificate and also to receive and process the document proposed to be presented by the petitioners. The fifth 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 petitioners 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

November 2, 2015
LMV