

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.28426 of 2015

ORDER:

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

The grievance of the petitioner is that he is the owner and possessor of the agricultural land admeasuring Ac.0-22 cents in Sy.No.1/3 situated at Thadi Village, Paravada Mandal, Visakhapatnam District. The petitioner claims title on the basis of the registered sale deed bearing document No.1647/84, dated 26-04-1984 and he is aggrieved by the direction issued by the 3rd respondent to the 4th respondent vide Rc.No.423/13, dated 03-02-2014, not to register any document in respect of the land admeasuring Ac.15-32 cents in Sy.No.1/3 of Thadi Village, Paravada Mandal, Visakhapatnam District, in view of pendency of enquiry under the Inams Abolition Act, 1956. The petitioner states that he intends to sell the said property to the 3rd party and he approached the 4th respondent, but he refused to receive the document, on the basis of the said letter of the 3rd respondent. The said proceedings of the 3rd respondent is questioned in this writ petition.

This Court has repeatedly held that the registration authority must examine the document presented for compliance under the Indian Stamp Act and Indian Registration Act and shall not be acted by threats of any authority outside the said Acts. The 3rd resident has no authority to give direction to that effect to the 4th respondent.

Hence, the petitioner is at liberty to present his document, which he proposed to execute by approaching the 4th respondent, who shall examine the same for compliance under the Indian Stamp Act and Indian Registration Act and if satisfied, he shall pass appropriate orders regarding registration. The 4th respondent is also at liberty to pass a detailed order under Section 71 of the Registration Act, if he has

any reason to refuse registration and communicate such order to the petitioner.

Accordingly, the writ petition is disposed of. No costs.

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

VILAS V.AFZULPURKAR, J

Date: 10-09-2015

Prv

