

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.20506 of 2015

ORDER:

In the light of the law laid down by a Division Bench of this Court in **G.Narsaiah v. State of Andhra Pradesh**^[1], it is not open to the registration authorities to shut out a document presented to them for registration at the threshold by refusing to receive it. Section 71 of the Registration Act, 1908 (for short 'the Act'), vests the registration authority with the power to refuse registration by duly recording the reasons therefor.

The complaint of the petitioners in this case is that the Sub-Registrar, Banswada, Nizamabad District, was refusing to receive the document presented by them in relation to the subject property without disclosing the reasons therefor, which is not a course open to the said authority.

The writ petition is therefore disposed of directing the Sub-Registrar, Banswada, to receive and process the document presented by the petitioners for registration in relation to the subject property. In the event the Sub-Registrar, Banswada, is of the opinion that the document warrants refusal of registration, he shall pass appropriate orders duly recording the reasons for such refusal in accordance with Section 71 of the Act. If, however, the document is found to be compliant with all legal requirements, he shall register the same and release it in accordance with due procedure.

Pending Miscellaneous Petitions shall stand closed, in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date: 07.07.2015

GJ

[\[1\]](#) 2011(3) ALT 415