

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.30898 OF 2013

ORDER:

The petitioners pray for Mandamus declaring the action of 1st respondent in not receiving and registering sale deed executed by the petitioners for the land admeasuring Ac.1-00 in Sy.No.148, Ac.1-00 in Sy.No.149/A and Ac.3-34 gts in Sy.No.149/AA of Parveda Khalsa Village, Shankarpally Mandal, Ranga Reddy District, as illegal and contrary to the Registration Act, 1908.

The learned counsel for the petitioners submits that the 1st respondent is under legal obligation to receive the documents presented for registration; examine the tenor and the schedule of the property; and is always free to pass orders on the documents presented by the petitioners. If ultimately the petitioners are aggrieved by any decision or order of the 1st respondent, the petitioners will have remedies before the appropriate statutory authority or this Court under Article 226 of the Constitution of India. But by not receiving the documents, the 1st respondent is preventing the petitioners from dealing with the property to which they claim as owners.

The learned Assistant Government Pleader for Revenue submits that according to the information the respondents have, the subject matter of the writ petition is wakf property and registration of such documents is to be considered in the light of Section 22-A of the Registration Act. He further submits that the non-receiving of documents complained against the 1st respondent is not supported by material and the 1st respondent is ready and willing to receive the documents presented by the petitioners for the survey numbers referred to above and pass appropriate orders in accordance with law.

By placing on record the alternative submission of the Assistant Government Pleader, the writ petition is disposed of and the petitioners are given liberty to present the documents for registration for the survey numbers referred to above and the 1st respondent, as noted above, will consider the same and pass appropriate orders in accordance with law. This Court is not expressing any view on the claim of either of the parties for the survey numbers referred to above. It is for the Sub-Registrar to consider and decide.

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

S.V. BHATT, J

19th January, 2015
Lrk m