

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

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WRIT PETITION No. 27274 of 2015

BETWEEN

M/s.Charminar Blue Flames Pvt. Ltd.,
Rep. by its Managing Director.

... PETITIONER

AND

The State of Andhra Pradesh,
rep. by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and others

...RESPONDENTS

Date of Order pronounced: 14.09.2015

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ORDER:-

Heard.

2. Petitioner was granted sale certificate by the I Senior Civil Judge, City Civil Courts, Hyderabad, in I.A.No. 3073 of 1998 in

O.S.No.390 of 1996 whereunder the property was sold to the petitioner as the auction purchaser. The said Certificate certifies that the petitioner through its Managing Director has been declared as auction purchaser in the sale of public auction held on 23.08.1998 and the schedule property is also described in the schedule appended to the said sale certificate. Petitioner states that he intends to execute an agreement of sale in favour of a purchaser, which is proposed to be registered with the third respondent. However, alleging that the third respondent is not receiving the document and refusing to process the said proposed agreement of sale, the present writ petition is filed.

3. This Court in W.P.No.19684 of 2015 dated 01.07.2015 has held that even before presentation of the document, the Sub-Registrar cannot refuse to receive and process the same.

4. Writ petition is therefore disposed of directing the third respondent to receive and process the document presented by the petitioner, as aforesaid. The third 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 of the aforesaid enactments, thereafter, register and release the document in accordance with the due procedure. It is also made clear that in the event of the third respondent 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 petitioner 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

September 14, 2015

LMV