

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.39827 OF 2015

ORDER:

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

The petitioner intended to register a deed of cancellation of General Power of Attorney (GPA) and while presenting the said document, he produced his Aadhar Card to the respondent authorities. However, insisting that the petitioner must produce Aadhar Card of the Attorney holder, the impugned order of rejection is passed.

A perusal of the document in question shows that its drafting itself is defective as this is not a document executed in favour of anybody, but the deed of cancellation is drafted as if it is a sale deed and since the names of two parties are evident as executant and claimant, the Joint Sub-Registrar, Padakakani, Guntur District, the 4th respondent, has insisted upon production of Aadhar Card of both the petitioner and the Attorney holder. Since the Registrar is bound to implement the directions of Inspector General of Stamps and Registration, I do not find any error in the impugned order. However, the manner in which the document of cancellation is written and presented for registration itself is being defective, I permit the petitioner to present a fresh document for cancellation and comply with the requirements under the Registration Act, 1908 and Indian Stamp Act, 1899 and it is open for the 4th respondent to examine and process the document in question, if it is in conformity with the provisions, thereafter register and release the same in accordance with the due procedure.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

08.12.2015

Note:- Issue C.C. by 14.12.2015.

(B/o)

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