

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.18958 of 2015

BETWEEN

A. Lokanadham.

... PETITIONER

AND

The State of A.P., Rep. by its Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioner: MR. SURESH KUMAR REDDY

**Counsel for the Respondents: GP FOR REVENUE (AP)
MR. T.S.N. MURTHY**

The Court made the following:

-
-
-

ORDER:

Petitioner question the refusal endorsement dated 13.08.2014 issued

by the fifth respondent refusing to register the documents presented by the petitioner as document P.No.55/2014 and P.No.56/2014.

2. The aforesaid refusal endorsement is based upon the orders of the civil Court of the Junior Civil Judge, Nagari in O.S.No.41 of 2014 and I.A.No.91 of 2014 therein. The fifth respondent states that there is direction by the civil Court to maintain status quo in the aforesaid suit, hence, the registration of the documents is refused.

3. Though the said order is appealable, the petitioner has filed the present writ petition, primarily, on the ground that the aforesaid suit was dismissed as not pressed under order of the learned Junior Civil Judge dated 29.04.2015. Petitioner has produced a copy of the docket order passed by the learned Junior Civil Judge, however, the date of the order is not evident therefrom.

4. Learned counsel for the petitioner states that the certified copy of the order was obtained on 05.07.2014 and copy thereof is produced and the order is dated 29.04.2015.

5. When I had heard the writ petition initially on 26.06.2015, I had directed the petitioner to implead the plaintiffs in the suit as party to the writ petition and also serve an advance notice on them. Subsequently, the petitioner sought impleadment of the plaintiffs vide WPMP.No.24985 of 2015 and the said application was ordered on 06.07.2015.

6. Mr. T.S.N. Murthy, learned counsel, who filed vakalath on behalf of the impleaded respondents, appears today and states that the suit was dismissed as withdrawn and the said impleaded respondents, who are plaintiffs in the suit, have no objection for registration of the documents presented by the petitioner.

7. In view of the same, therefore, since the dismissal of the suit is subsequent to the impugned refusal endorsement, the order of the fifth

respondent is set aside and the matter is remitted back to the fifth respondent. Petitioner is at liberty to produce the order of the civil Court dismissing the suit, referred to above along with document P.No.55/2014 and 56/2014 to enable the fifth respondent to examine the same and on being satisfied of the compliance under the Registration Act and the Stamp Act, process the same and if it is otherwise in order, register and release the documents in favour of the petitioner.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 13, 2015
DSK