

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

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

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.20361 of 2015

BETWEEN

Duddu Panduranga Rao.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue
Department (Registration & Stamps), Secretariat, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioner: MR. SYED KHADER MASTAN

Counsel for the Respondents: GP FOR REVENUE (AP)

The Court made the following:

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ORDER:

Petitioner proposes to execute and register a sale deed relating to

Sy.No.159 of Budampadu Village, Guntur District.

Petitioner questions the action of respondents 4 and 5 and also questions the proceedings of the second respondent dated 09.08.2012 wherein he sent a communication to the fifth respondent not to register any document relating to Sy.No.159 in an extent of Ac.3.62 cents and other lands mentioned therein.

2. It is well settled that merely on letters of any authority, the Registration authorities cannot refuse to receive and process the document unless the communication is in compliance with Section 22-A of the Registration Act. The aforesaid proceeding of the second respondent was issued in 2012 and the sanctity of such letter was already deprecated in several orders by this Court.

Hence, the writ petition is disposed of directing the fifth respondent to receive and process the document proposed to be presented by the petitioner relating to Sy.No.159 and deal with the same by examining compliance under the Registration Act, 1908 and Indian Stamp Act, 1899. It is also made clear that in the event of registering authority 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, otherwise process and register the document presented by the petitioner.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 20, 2015
DSK