

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NOs.16161 AND 16189 OF 2015

DATED 10th JUNE, 2015

W.P.No.16161 of 2015

Between:

G. Srinivasulu Naidu

.. Petitioner

and

The State of Andhra Pradesh,
Revenue Department and others

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NOs.16161 AND 16189 OF 2015

COMMON ORDER

The grievance of the petitioners in these cases is that the Sub-Registrar, Tirupati Urban, Tirupati, Chittoor District, refused to receive and process the sale deeds presented by them for registration on the basis of the letter dated 12.08.2009 received by him from the Tahsildar, Tirupati Urban Mandal, Tirupati.

Such refusal by a registration authority to receive and process the documents for registration fell for consideration before a Division Bench of this Court in **G. NARASIAH V/s. STATE OF ANDHRA PRADESH**. The Division Bench held that it is not open to the registration authority to refuse to receive a document on the instructions received from the revenue authorities. The Division Bench opined that the registration authority cannot shut out the document presented for registration at the threshold by refusing to receive it. The Division Bench observed that upon receiving such a document, if the Registration authority is of the opinion that it warrants refusal of registration, such authority would be at liberty to exercise powers under Section 71 of the Registration Act, 1908 and pass an order refusing registration by duly recording the reasons therefor.

In the light of the aforestated judgment, the writ petition is disposed of directing the Sub-Registrar, Tirupati Urban, Tirupati, to receive and process the documents presented by the petitioners for registration. In the event the Sub-Registrar finds that the documents warrant refusal of registration, he shall pass orders under Section 71 of the Registration Act, 1908 duly recording the reasons for refusal of registration. Pending miscellaneous shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

10th JUNE, 2015

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