

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

PRADESH
(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.19845 of 2015

BETWEEN

V.S.Balachandran and others

... PETITIONERS

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary (Department of Revenue), A.P. Secretariat Building, Hyderabad and others.

...RESPONDENTS

COUNSEL FOR THE PETITIONER: MR. K.RAMAMOHAN

COUNSEL FOR THE RESPONDENTS: GP FOR REVENUE (AP)

The Court made the following:

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ORDER:-

Heard.

2. Petitioners claim that they purchased land in survey No.613 to an extent of Ac.0-50 cents out of Ac.1-15 cents of plot bearing Nos.8, 9, 10, 11, 12, 13, 14 to 15 situated at 81 Murakambattu Village, Chittoor Mandal, Chittoor District, under registered sale deed dated 03.05.2012 and they later on obtained lay out and as per the approved lay out

they intend to execute documents relating to plot Nos.6, 8 to 15 in the said lay out. Petitioners state that the Registrar is refusing to receive the document and process the same for registration and is purportedly on the ground that the vendor was restrained by way of an interim injunction in I.A.No.150 of 2012 in O.S.No.23 of 2012 dated 27.06.2012.

3. Learned senior counsel for the petitioners state that the purchase by the petitioners was on 03.05.2012, much before the said suit and the injunction orders and, in any case, petitioners are not parties to the said suit.

4. At this stage, it is premature to consider the said contention, as the Registrar is stated to have refused to receive the documents. Hence, the petitioners are at liberty to present the document they propose to execute before respondent No.2, in compliance with the Indian Stamp Act and the Registration Act. If such a document is received, respondent No.2 shall examine, process, and register the same, if he is satisfied regarding compliance under the Acts aforesaid. It is made clear that if the Registrar is of the view that the registration cannot be granted, he shall pass a reasoned order under Section 71 and communicate the same to the petitioner.

With the above direction, 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 2, 2015
LMV