

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

WEDNESDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.19601 of 2015

BETWEEN

E. Kullayappa.

... PETITIONER

AND

State of Andhra Pradesh, Rep. by Principal Secretary, Department of Registrations and Stamps, Secretariat, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioner: MR. A.V. RAMA RAO

Counsel for the Respondents: GP FOR REVENUE (AP)

The Court made the following:

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ORDER:

Petitioner filed O.S.No.8 of 2014 on the file of the Senior Civil Judge, Dharmavaram seeking specific performance of agreement of sale. The

original unregistered agreement of sale dated 22.04.1998 was referred by the learned Senior Civil Judge to the District Registrar, Hindupur on the ground that it is insufficiently stamped. The District Registrar assessed the value and gave impugned notice dated 08.06.2015 to the petitioner providing an opportunity to represent his case with evidence on the assessment of market value.

2. However, instead of filing a reply, the petitioner has filed the present writ petition questioning the said notice.

3. Learned counsel for the petitioner submits that the value of the property as on the date of agreement has to be taken into consideration and not the present market value.

4. As stated above, since the impugned notice merely calls upon the petitioner and gives an opportunity to submit his objections or evidence in support of his case, it is open for the petitioner to submit his objections and submit his claim before the District Registrar in response to the impugned notice on or before 07.07.2015. The District Registrar shall consider the same and then pass appropriate orders in accordance with law.

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 1, 2015
DSK