

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15188 of 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed to declare the action of the Sub-Registrar, Renigunta in refusing to receive, register and release the documents relating to the land to an extent of Ac.1-50 cents in survey No.397/2 of Settipalli Village, Tirupathi Urban Mandal, Chittoor District, basing on a letter addressed by the Tahsildar, Tirupathi Urban Mandal to the Sub-Registrar, Renigunta vide ROC.A/55/2015, dated 03.03.2015, as arbitrary and illegal and contrary to the judgment rendered in W.P.No.3236 of 2014, dated 06.03.2014.

2. The case of the petitioner is that one Kalahasthi Munuswamy obtained patta for Ac.2-19 cents from the land holder in the year 1930. The said Muniswamy has three sons and they succeeded to the schedule lands after demise of their father. One Turakalam purchased the schedule lands from the said three persons by way of a registered sale deed. The said Turakalam sold Ac.1-50 cents in survey No.397/2 of Settipalli Village to Maharunni Bee for a valuable consideration and got registered vide Document No.2975, dated 14.05.1986. After demise of her husband, Mahaboob Basha Maharuni Bee gave a registered power of attorney in favour of the petitioner on 03.10.2012 as she is suffering from serious health problem. As she is suffering from serious health problem, she decided to sell the schedule lands. Accordingly, she sold the schedule lands to one M.Brahmananda Reddy for Rs.6,60,000/-. Thereafter, the petitioner approached the Sub-Registrar along with the purchaser and requested to furnish the value of the property for purchasing necessary stamps. But, the Sub-Registrar expressed his inability stating that the Tahsildar, Tirupati has addressed a letter, dated 03.03.2015 directing him not to register the lands of Settipalli Village, which is to be settled by the Settlement Officer-cum-Joint Collector, Chittoor. Aggrieved by the same, the present Writ Petition is filed.

3. Heard learned counsel for the petitioner and the learned Government Pleader for Revenue.

4. The issue regarding Registration under Section 22-A of the Registration Act, 1908 has been dealt with by the Full Bench judgment of this Court in W.A.No.343 of 2015 and Batch, dated 23.12.2015. Further, the same issue was dealt with by the Division Bench of this Court in W.P.No.22602 of 2008 and batch, dated 29.01.2016

5. Following the dicta laid by the Division Bench of this Court in W.P.No.22602 of 2008 and Batch, dated 29.01.2016, this Writ Petition is also disposed of in terms of the above said judgments. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.RAJASHEKER REDDY, J

JUNE 14, 2016

Note:

Registry is directed to annex copy of
common order, dated 29.01.2016, W.P.No.22602 of 08 &batch

(B/o)
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Date: 14.06.2016

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