

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.33748 OF 2016

ORDER:

The petitioners pray for the following relief:

...issue a Writ of Mandamus or any other appropriate Writ, Order or orders, Direction or Directions to declare the proceedings of the 2nd Respondent in Draft Memo No.G2/ 191340/2011 dt.1-12- 2011 as arbitrary, illegal, without jurisdiction and Unconstitutional and to issue consequential direction to the 4th Respondent to receive, register and release the documents that may be presented by the petitioners for registration in respect of their house sites to an extent of 83-33 Sq. Yards or equal to 96-99 Sq.Meters situated in Door No.29-253, Near Plot No.10 in D.No.364, the house site to an extent of 605 Square yards or equal to 508-2 Sq.Meters situated in Door No.29-253, Near Plot No.13 in D.No.364, the house site to an extent of 155-55 Square yards or equal to 130-055 Sq.Meters situated in Near Door No.30/470 in D.No.394/1, the house site to an extent of 88-89 Square yards or equal to 74-66 Sq.Meters situated Near Door No.29-253 in D.No.364, and the house site i.e Plot No.2B to an extent of 290-4 Square yards or equal to 243-93 Sq.Meters situated in Near Door No.29-253 in D.No.364 of Vinukonda Village, Mandal & Municipality, Guntur District respectively without reference to the Draft Memo of the 2nd Respondent bearing No.G2/191340/2011 dt.1-12-2011 and the Order dated. 15-03-2011 of the High Court of the Madras in Contempt Petition No. 1205 of 2010..."

The petitioners rely upon the orders of this Court in W.P. No.4595 of 2015 dated 04.03.2015.

Learned Government Pleader (Registration & Stamps) from the material available on record submits that the case on hand is distinguishable, for there is no order passed by 3rd and 4th respondents on any document said to have been presented by petitioners for registration. He further states that if the petitioners present documents for registration, respondents 3 and 4 will consider the documents in accordance with law and if the circumstances warrant, communicate the reasons for not registering the document for redressal under Section 71 of the Registration Act. The statement is placed on record and petitioners are granted liberty to present documents for registration and respondents are directed to examine and communicate a decision as warranted in the facts and circumstances of the case.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

Date: 14.11.2016
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S. V. BHATT, J