

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.40541 OF 2015
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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a write, order or direction, more particularly, one in the nature of writ of Mandamus, declaring the action of the fourth respondent in refusing to register the sale deeds executed by the Petitioners in favour of fifth Petitioner M/s. IBR Real Estates and developers private limited to an extent of 176.94 Sq. yards or 147.94 Sq.mtrs, 339 sq.yds or 283.44 sq.mtrs, 315 sq.yds or 263.38 sq.mtrs, and 132 sq.yds or 110.352 Sq.mts total extent of 786 sq.yds situated in pothynamallayyapalem village, Madhurawada, Viskhapatnam district, as arbitrary, unjust , illegal, violative of article 14 and 300A of the constitution of India and consequently direct the fourth respondent herein to register the sale deeds executed by the Petitioners in favour of fifth petitioner respect of the land of an extent of 786 Sq. land situated in Pothynamallayyapalem village, Madhurawada, Viskhapatnam district, and pass such other order or orders may deem fit and proper in the circumstances of the case.”

2. When the matter is called, it is represented by the learned counsel for petitioners so also the learned Government Pleader that the issue in the present writ petition is squarely covered by the orders of this Court in W.P.Nos.21065 of 2011 and 6450 of 2012, dated 28.03.2012 and copy of the same is also placed on record.

3. In view of the aforesaid judgment and for the reasons recorded therein, this writ petition is also allowed, and the Sub-Registrar, Madhurawada, Visakhapatnam, is directed to receive the documents that were presented by the petitioners in relation to land in Survey Nos.56/2 and 57/2. It is made clear that the findings recorded by this Court in W.P.No.21325 of 2007 shall hold good for the

entire extent of land in Survey Nos.56/2 and 57/2, and in case the respondents treat any document relating to the said land as the one that cannot be registered, they shall be held *per se* liable to be proceeded under contempt of Courts.

4. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

07.01.2016
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