

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.17867 OF 2016

ORDER :

The case of the petitioner is that he has purchased the vacant land admeasuring 1013 sq.yards in Sy.No.766/2 at L B College, Mulugu X Road, Hanumakonda by way unregistered sale deed dated 22.07.2004. Thereafter, he has validated the said document through Revenue Divisional Officer on 21.03.2005 vide RC.No.A 3305/2004 by paying deficit stamp duty and penalty as per Section 47-A of Schedule-I of the Indian Stamp Act, 1899 (for short 'the Act') and the said certificate was endorsed by the Revenue Divisional Officer, Warangal under Section 42 of the Act. While so, when a civil suit was filed against the petitioner in O.S.No.145/2014 on the file of I Additional District Judge, Warangal, petitioner filed all the documents. But at the time of marking of the said private sale deed which was validated by the Revenue Divisional Officer, Warangal, an objection was raised stating that the Revenue Divisional Officer is not the competent authority to do so. Hence, the petitioner made an application on 03.05.2016 to the District Collector for clarification of the said document. As no orders are passed in the same, the present writ petition is filed.

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

It is to be seen that when an objection is raised by the appellate Court for marking of the documents, it is for the petitioner to satisfy the Court for marking of the said documents and that the appellate Court shall consider and take a decision on the same. Hence, the question of clarification of documents by the Collector does not arise. In view of the same, it is for the Court before which trial is going, to pass orders on the subject of marking of the documents.

Subject to the above, I do not see any reason to entertain the writ petition and the writ petition is accordingly dismissed. There shall be no

order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

09.06.2016

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