

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.30391 OF 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents.

This Writ Petition is filed challenging the proceedings dated 09.08.2016 issued by the 3rd respondent, whereby the document of the petitioner was kept pending registration with pending document No.P633/16 on the ground that this Court granted interim direction in W.P.No.17695 of 2016, dated 08.06.2016.

Learned counsel for the petitioner by referring to order dated 08.06.2016 in W.P.No.17695 of 2016 submits that there is no injunction against the respondent authorities for registering the documents and there is no basis for them to keep the documents pending. He further submits that if the documents are in order as per the Stamps and Registration Act and the Rules made thereunder, the concerned authority is bound to receive the documents and register the same and if he wants to refuse registration, he has to record the reasons as envisaged under Section 71 of the Act Registration Act, 1908 (for short, 'the Act').

No injunction is granted by this Court by way of order dated 08.06.2016 in W.P.No.17695 of 2016.

In view of the same, the proceedings dated 09.08.2016 are set aside and the 3rd respondent is directed to register the subject document, if the same is in order as per provisions of Indian

Stamp Act and Registration Act and the Rules made thereunder and if he wants to refuse to register the same, he shall record reasons as envisaged under the provisions of Section 71 of the Act and communicate the same to the parties.

With the above direction, the Writ Petition is allowed. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

Date:09.09.2016

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A. RAJASHEKER REDDY, J

