

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

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WRIT PETITION No.39709 of 2015

BETWEEN

G. Thippeswamy.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and another.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 20.01.2016

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Petitioner is aggrieved by the action of the second respondent in declining to receive and process the sale deed proposed to be presented by the petitioner with respect to land admeasuring Ac.12.67 cents in Sy.No.228 of Thimma Samudram Village, Kalyandurgam Mandal, Anantapur District.

2. Petitioner states that the aforesaid land was purchased by his mother as early as on 22.06.1965.

3. Instructions received by the learned Government Pleader from the Tahsildar, Kalyandurgam Mandal, accepts the document of 22.06.1965 claimed by the petitioner. It is stated that Sy.No.228/1 admeasuring 11.85 cents is in possession and enjoyment of the petitioner.

4. In view of the above, there is no justification for the second respondent in refusing to receive and process the document presented by the petitioner with respect to the land claimed by him in the light of the instructions of the Tahsildar, referred to above. The second respondent is, therefore, directed to receive and process the document in accordance with the Registration Act, 1908 and Indian Stamp Act, 1899 and if the document is in conformity with the provisions of the aforesaid enactments, thereafter, register and release the document in accordance with the due procedure. It is also made clear that in the event of registering authority not being satisfied with the compliance under the Registration Act or the Stamp Act, appropriate refusal endorsement together with reasons shall be recorded and communicated to the petitioner in terms of Section 71 of the Registration Act.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

January 20, 2016

DSK