

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.34527 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to issue a Writ/Order/Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in refusing to receive the document that was presented by the petitioner in respect of Sy.No.458 to an extent of Ac.1-90 cents situated in Tiruchanuru Village, Tirupati Rural Mandal, Chittoor District, as illegal, arbitrary, without jurisdiction and in violation of Article 14 of the Constitution of India and consequently direct the respondents to receive the document of the petitioner in respect of Sy.No.458 to an extent of Ac.1-90 cents situated in Tiruchanuru Village, Tirupati Rural Mandal, Chittoor District for processing it as per law.”

3. The case of the petitioner is that one T.Gangi Naidu, who is original owner of the land in dispute, sold the same to one K.Krishnamma by way of sale deed No.633/1971 on 22.02.1971. Later, legal heirs of said Krishnamma executed a deed dated 01.04.1996 in favour of one Changalraya Reddy. Subsequently, the said Chengalraya Reddy and his sons entered into an agreement of

sale with the petitioner on 14.08.2010. But, the 2nd respondent without assigning any reason, refused to receive the document presented by the petitioner nor issued valuation certificate.

4. It is to be seen that under Section 71 of the Registration Act, 1908, it is mandatory on the part of the Sub-Registrar to record reasons for refusing to register a document.

5. In that view of the matter, the 2nd respondent is directed to examine the document of the petitioner for registration in respect of the land and if the document is in order, proceed with registration, otherwise record reasons for such refusal or registration for any plausible reasons, as contemplated under Section 71 of the Registration Act, 1908 and communicate the reasons thereon to the petitioner.

6. With the above directions, the Writ Petition is disposed of.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:18.10.2016

Note: Furnish CC within three (03) days.

(B/O)

INL