

HON'BLE SRI JUSTICE S.V.BHATT

-
W.P. No.19965 OF 2012

ORDER:

The petitioner prays for Mandamus declaring the action of respondents 1 to 3 in entertaining the documents pertaining to land in Survey No.1133 of Doddipalli Village, Piler Mandal, Chittoor District, as illegal, arbitrary, unconstitutional and prays for consequential direction to 2nd respondent to reject registration of document pertaining to land in Survey No.1133 in Doddipalli Village, Piler Mandal, executed by **any person** other than the petitioner by further declaring that a document cannot be processed for registration unless pattadar pass book/title deed is produced by the executant.

With the assistance of Mr.K.S.Murthy, I have perused the affidavit and the material papers filed along with the writ petition.

Prima facie, this Court is of the view that the prayer in the writ petition is too spacious and cannot be considered and granted, more particularly, when the direction to respondents 1 to 3 is to prohibit them from receiving any document presented by any person. The petitioner has apprehension against execution and registration of sale deed vis-à-vis property in Survey No.1133 by persons not interested in the property. The petitioner has to work out the remedy by filing a civil suit, obtain injunction against the persons likely to infringe her right and communicate copy to the Sub-Registrar. As per the extant circular instructions, the Sub-Registrar is precluded to entertain document for registration prohibited by Court order. The efficacious remedy of suit redresses real issues, hence, I am of the view that based on apprehension the writ prayer cannot be considered. The writ petition fails and dismissed. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT, J

Date:04.08.2016
Stp