

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.2325 OF 2016

ORDER :

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

2. The impugned order dt.11.09.2015 passed by the 2nd respondent refusing to register the documents presented by the petitioner does not contain any reason why he had refused to register the said document and the said order affects the civil rights of the petitioner.

3. As per Section 71 of the Registration Act, 1908 and the law declared by the Supreme Court in ***S.N. Mukherjee vs Union of India***^[1] the 2nd respondent was bound to give reasons for his refusal to register the document presented by the petitioner.

4. Therefore, the Writ Petition is allowed; the impugned order dt.11.09.2015 issued by the 2nd respondent is set aside; the 2nd respondent is directed to consider afresh the question of registering the document presented by the petitioner; and if he does not wish to register, he shall pass orders under Section 71 of the Registration Act, 1908 (for short 'the Act') giving reasons why he does not wish to register the said document. This exercise shall be completed by the 2nd respondent within three (03) weeks from the date of receipt of a copy of this order. The 2nd respondent shall also personally pay costs of Rs.2,000/- to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

5. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

28th April, 2016.

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[\[1\]](#) 1990 AIR 1984