

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43077 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Stamps and Registration appearing for the respondents. With their consent, 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 an appropriate writ, order or a direction, more particularly one in the nature of ‘Writ of Mandamus’ declaring the action of the 3rd respondent in not receiving and registering the documents relating to the land, admeasuring Ac.2.90 cents in Sy.No.2402 B/1A of Pakala Village Accounts, Pantapalle Grampanchayath, Pakala Mandal, Chittoor District as wholly arbitrary, illegal, unjust, void, contrary to law and consequently the respondents be directed to receive, process, register and release the documents executed and presented by the petitioner, relating to the land, admeasuring Ac.2.90 cents in Sy.No.2402 B/1A of Pakala Village Accounts, Pantapalle Grampanchayath, Pakala Mandal, Chittoor District, according to the provision of Indian Stamp Act & Registration Act, by directing the respondents 1, 2 and 4 to declare the land from the prohibitory list prepared by the revenue authorities and communicated to the 3rd respondent.”

3. Though various grounds are raised in the writ petition, learned counsel for the petitioner mainly submits that the Sub-Registrar (R.3) may be directed to consider all the material including

the partition deed dated 27.06.1949 before passing orders on the documents presented for registration.

4. Learned Government Pleader for Revenue would submit that he has no objection for the same.

5. Having regard to the above, the petitioner shall present the documents for registration along with all the necessary material, in which event, the Sub-Registrar, Pakala, Chittoor District (R.3) shall consider the same and proceed in accordance with law, and if he intends not to register the same, he shall pass an order giving reasons and communicate a copy of the same to the petitioner.

6. Accordingly, 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:13.12.2016
INL