

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20822 OF 2011

ORDER:

This writ petition is filed seeking to issue a writ more particularly one in the nature of mandamus declaring the action of the 1st respondent in not receiving the document presented by the petitioner for registration in respect of land in an extent of Ac.1-47 cents situated in Sy.No.394/1 of Vedurupavuluru Village, Gannavaram Mandal, Krishna District, as being illegal, arbitrary and violative of Articles 14 and 21 of the Constitution and consequently direct the 1st respondent to register the document in question, as per law and pass appropriate orders thereon, in the interest of justice.

2. The case of the petitioner is that he is absolute owner and possessor of the land admeasuring Ac.1-47 cents situated in Sy.No.394/1 of Vedurupavuluru Village, Gannavaram Mandal, Krishna District, having purchased the same through registered sale deed for a valid sale consideration from Gurram China Venkateswarlu and pursuant thereto his name was also mutated in the concerned panchayat records. That the petitioner is in possession of the land and it is not a government land.

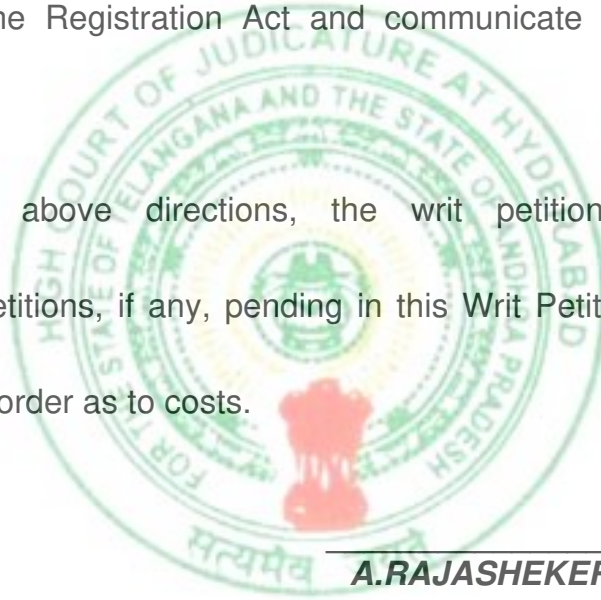
3. The grievance of the petitioner is that, as per the requirement, he has prepared necessary document *i.e.* draft sale deed and presented before the 1st respondent for assessing the market value so that the stamp duty can be paid, but the 1st respondent refused to entertain the document on the purported ground that the survey number in which the land is situated is included in the list of lands, whose registration is banned.

4. Heard the learned counsel for the petitioner and the learned Asst. Government Pleader for Revenue.

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

6. In that view of the matter, the 1st respondent is directed to examine the document said to have presented by the petitioner for registration and if the document is in order, proceed with registration, otherwise record reasons for such refusal of registration for any plausible reasons, as completed under Section 71 of the Registration Act and communicate the reasons to the petitioner.

7. With the above directions, the writ petition is disposed of. Miscellaneous petitions, if any, pending in this Writ Petition shall also stand disposed of. No order as to costs.



A.RAJASHEKER REDDY, J

Dated: 18-10-2016
NRG

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



WRIT PETITION No.20822 OF 2011

Dated: 18.10.2016

//Web//

NRG

