

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.19952 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ more particularly one in the nature of mandamus declaring the action of the respondent no.3 in not registering the lands in question in the name of the petitioner as being illegal, arbitrary and violative of Articles 14 and 21 of the Constitution and consequently direct the 3rd respondent to register the sale deeds submitted by the petitioner, as per law and pass appropriate orders thereon in the interest of justice.

2. The case of the petitioner is that the owners of the land in Sy.No.36 situated at Tekulapally Village, Bheemini Mandal, Adilabad District, have approached him to sell the land in question to meet their family necessities and both of them approached the 3rd respondent for registration of the land in the name of the petitioner, but the 3rd respondent orally refused to do so and insisted to get 'no objection certificate' (NOC) from the revenue authorities. The case of the petitioner is that the subject land is patta land and pattedar pass book is also issued in respect of the said land. Aggrieved by the said action of the 3rd respondent, this writ petition is filed.

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

4. 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.

5. In that view of the matter, the 3rd 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 of registration for any plausible reasons, as completed under Section 71 of the Registration Act and communicate the reasons thereon to the petitioner.

6. 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: 23-06-2016

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