

THE HON'BLE SRI JUSTICE A.V. SESA SAI

-
WRIT PETITION No.32847 OF 2015
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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a Writ, One in the nature of a Writ of Mandamus or any other appropriate Writ, Direction or Order declaring the action of the respondent No.5 in refusing to entertain the Sale Deed for registration for the House Plot .No.33 to an extent of 266.66 Sq.Yds in Sy.No.59 and 66/2 of Dilsuknagar, Mamidalapadu, Kurnool Municipal Corporation, Kurnool without assigning any reason and without there being any Gazette Notifications is illegal, arbitrary, contrary to the provisions of the Registration Act, 1908 and consequently direct the 5th respondent to receive and process the sale deed in respect of above said land for registration and release the same in the interest of justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. It is reported by the learned counsel for petitioner that the issue in the present writ petition is squarely covered by the orders of this Court in W.P.No.38884 of 2015, dated 01.12.2015.

3. In view of the same, following the aforesaid judgment, this writ petition is also disposed of, directing the 5th respondent to receive and process the document presented by the petitioner for registration in relation to the subject property. In the event the 5th respondent is of the opinion that the document warrants refusal of registration, he shall pass appropriate orders duly recording the reasons for such refusal in accordance with Section 71 of the Registration Act. If, however, the document is found to be complied with all legal requirements, he shall register the same and release it in accordance with due procedure.

4. Miscellaneous petitions, if any, pending in this writ petition shall

stand closed.

06.01.2016
SS

A.V.SESHA SAI, J