

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.9177 of 2016

ORDER:

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

2. In this Writ Petition, the petitioner has questioned the intimation of refusal to register the document to which the petitioner is a party.

3. This intimation is an annexure to the order of refusal to register the document passed by 3rd respondent on 06-02-2016 in refusal order No.7/2016.

4. It is not disputed by the learned Government Pleader that the order of refusal as well as the intimation did not consider the judgment dt.29-01-2016 in W.A.Nos.352 and 785 of 2013 to which the petitioner's vendor is a party.

5. In the said judgment, the Division Bench considered the Full Bench judgment rendered by this Court in **Vinjamuri Rajagopala Chary and others Vs. Principal Secretary, Revenue Department, Hyderabad and others**^[1] with regard to Section 22-A of the Registration Act, 1908.

6. Since the 3rd respondent has not kept in

mind the observations in the judgment dt.29-01-2016 in W.A.Nos.352 and 785 of 2013, the impugned order No.7 of 2016 dt.06-02-2016 as well as the intimation forming part of the said order are both set aside and the matter is remitted back to 3rd respondent to consider afresh the issue relating to registration of the document to which the petitioner is a party keeping in mind the above order also. The petitioner is therefore directed to present the document again before 3rd respondent within three weeks from the date of receipt of a copy of this order, if the document is returned to the petitioner, and if it is not returned to the petitioner, the issue should be considered by 3rd respondent and he shall communicate his decision thereon to the petitioner within six weeks from the date of receipt of a copy of this order.

7. With the above directions, the Writ Petition is disposed of. No costs.

8. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 21-03-2016

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[\[1\]](#) 2016 (1) ALT 550