

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.3433 OF 2017

ORDER:

This writ petition is filed challenging the Refusal order dated 14.12.2016 vide No.7/2006 passed by the Sub-Registrar-4th respondent refusing to register the document presented by the petitioners on the ground that the subject property is classified as Assigned/Government Land and prohibited from registration under Section 22(A)(1)(a) of Registration Act, 1908 (for short 'the Act') as per the list furnished by the District Collector, Cuddapah-2nd respondent.

Learned counsel for the petitioners drawn attention to the letter addressed by the 2nd respondent to the 4th respondent on 02.06.2009 wherein it is clearly stated that the assignment of the subject land was made in favour of the petitioners on payment of market value and requested to accept the registration in respect of same. He further submits that the petitioners were issued certificate dated 21.09.2004 by the Tahsildar showing that they were assigned land on payment of market value.

It is to be seen that when assignment is made on payment of market value, the question of including the subject land in the prohibition list from registration does not arise. Moreso, the District Collector himself addressed

a letter to the 4th respondent requesting to accept the registration in respect of the subject land.

In view of the above facts and circumstances, the impugned order is set aside and the 4th respondent is directed to receive and register the document presented by the petitioners in respect of the subject land, if the same is in order as per the provisions of Stamps and Registration Act and the Rules made thereunder.

With the above direction, the writ petition is allowed. There shall be no order as to costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

08.02.2017
dv

A.RAJASHEKER REDDY,J

