

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.29989 OF 2017

ORDER:

1. Petitioner, who is 75 years old, contends that the deed of settlement sought to be presented was not even accepted by the Registrar. He submits that the full set of documents is prepared and requisite fee was also paid through a challan but the document was not accepted for registration. At this stage, the petitioner has to suffer lot of hardship.

2. On instructions, learned Government Pleader stated that the Sub-Registrar has not perused any document and in fact, no such document was presented.

3. Major grievance ventilated before this Court regularly under the Registration Act, 1908 is registering authority is not receiving the documents presented before it. There ought to be a mechanism evolved on presentation of document or mechanism evolved for online registration of presentation of a document which could go a long way to streamline the process and eliminate irregularities at the threshold. Whatever may be the nature of the document presented, validity of the document presented and the defects in the document presented for registration or the property on which deed of conveyance was sought to be registered is included in the prohibition list need not be gone into at this stage. This can mitigate the hardship of citizens to some extent and reduce avoidable litigation. As of now and in the absence of mechanism there are claims and counter claims on presentation of documents by parties and officials of registration department

respectively and the issue cannot be decided by this Court as the said rival stands cannot be gone into based on affidavits.

4. In the case on hand, petitioner is granted liberty to send the document proposed for registration by registered post with due acknowledgment to the Sub-Registrar, Nallapadu, Guntur. If petitioner sends the document by registered post, the third respondent shall inform the petitioner in advance the date on which the document would be processed for registration.

5. The Principal Secretary to Revenue Department, Government of Andhra Pradesh is directed to evolve some mechanism to note presentation of document or to furnish acknowledgment or creation of online system as proof of presentation of document for registration before the registering authority considers the document for registration, which would go long way in avoidable litigation on that score before this Court.

6. Subject to the above, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(P.NAVEEN RAO, J)

8th September 2017
RRB