

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.26955 OF 2006

ORDER:

This writ petition was filed challenging the inaction of the respondents in not releasing the registered sale deeds bearing document Nos.P/240/96, dated 29.03.1996, P/241/96, dated 29.03.1996, P/242/96, dated 29.03.1996, P/257/96, dated 04.04.1996, P/288/96, dated 15.04.1996, P/289/96, dated 15.04.1996, P/290/96, dated 15.04.1996, P/291/96, dated 15.04.1996, P/341/96, dated 27.04.1996, P/342/96, dated 27.04.1996, P/349/96, dated 26.04.1996 and P/350/96, dated 26.04.1996 and declare the order of the third respondent, dated 09.09.2006 rejecting the request of the petitioner to release the pending documents without following the procedure under Section 47-A of the Indian Stamp Act as void.

A reading of the impugned order makes it clear that the petitioner filed W.P.No.28221 of 2005 challenging the inaction of the Sub Registrar, Golconda, Red Hills, Hyderabad, the third respondent herein, in registering the twelve sale deeds presented on different dates. The said writ petition was disposed of on 31.01.2006 directing the respondents to consider the representation of the petitioner, dated 30.11.2005 and 27.12.2005 and pass appropriate orders for release of the documents after due registration within three months. A review petition was filed by the third respondent in W.P.M.P.No.17672 of 2006 and the earlier order was modified and it was confined only to the extent of directing the respondents to consider the representations. Accordingly, the order was passed by the third respondent on 09.09.2006 indicating that the claimant in the twelve sale deeds happened to be one of the co-accused in the matter of supply of 2,00,000 MT of Urea to NFL and defaulter to the extent of Rs.4,30,21,068/- to the Income Tax Department and purchased the

properties. There is a direction of attachment by the Hon'ble Chief Judge, City Civil Court, Hyderabad, in O.P.No.518 of 1997 and in view of the same the documents cannot be released.

The learned counsel for the impleaded respondents 4 to 19 submits that after filing the present writ petition, O.P.No.518 of 1997, which was earlier dismissed for default, was restored on 05.06.2009 and an order was passed on the same day attaching the properties. Challenging the same, W.P.No.15606 of 2009 was filed and the same is pending before this Court.

In view of the orders of attachment, the relief sought for in the present writ petition cannot be granted and it is open to the parties to agitate their rights in pending W.P.No.15606 of 2009.

The writ petition is accordingly dismissed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

22.06.2017
pln

A.RAMALINGESWARA RAO, J

