

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.26644 of 2017

Date: 10.08.2017

Between:

Sure Laxmamma W/o.Sure Devarajulu,
Aged 44 yrs, Occu : Housewife,
R/o.H.No.3-38, Guravarajupalli,
Kothapalem, Guravarajupalli,
Renigunta, Chittoor District.

.....Petitioner

And

The State of Andhra Pradesh,
rep. by its Secretary,
Revenue Department,
Amaravathi, A.P. & others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.26644 of 2017

ORDER:

Heard.

2. Petitioner claims that land admeasuring Ac.7.00 in Sy.No.495 was purchased by Tummineni Nagula Naidu under a registered sale deed dated 13.11.1967. He has also purchased Ac.0.87 ½ cents in the same survey number. According to the petitioner, her father-in-law and mother-in-law purchased total extent of Ac.2.18 ½ cents and were also issued pattedar pass books and title deeds. In addition petitioner claims to have succeeded to some more extent of land. Petitioner seeks partition in the lands and accordingly presented the document for registration. By refusal order dated 04.02.2017 (wrongly typed in the prayer as 25.01.2017) impugned herein, the Sub-Registrar, refused to register the document on the ground that as per the letter of Tahsildar, Chandragiri dated 22.04.2012, the subject land is classified as assigned waste dry in the revenue records. Petitioner challenges the said endorsement in this writ petition.

3. As held by the Full Bench of this Court ***Vinjamuri Rajagopala Chary Vs State of Andhra Pradesh¹***, once an intimation is given to the registering authority about the status of the land as per any statute, the registering authority cannot undertake registration of the document and the aggrieved party can ventilate the grievance with supporting documents before the District Collector, as directed by the Full Bench. In the instant

¹ 2016 (1) ALT (550) (F.B)

case, no objections were filed/representations made with supporting documents before the District Collector and petitioner sought to contend that refusal is not valid, in view of the fact that the document in possession of the petitioner would show continuous transactions over a period of time. Merely because there were many transactions, it cannot be said that those transactions are valid, as long as in the revenue records, classification is shown as assigned waste dry. Further against an order of refusal by the Sub-Registrar, petitioner has remedy of appeal under Section 72 of the Registration Act, 1908 and petitioner has not availed the said remedy of appeal.

4. Having regard to the above, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed, leaving it open to the petitioner to work out her remedies as available in law. There shall be no order as to costs.

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

P.NAVEEN RAO,J

10th August, 2017
Rds