

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.30577 OF 2017

Dated:11.09.2017

Between:

Goddu Sanyasi Rao, S/o. Appala Swamy
Age 43 years, Occ: Defence Employee,
R/o.Plot No.111, Brindavan Enclave,
Bollaram, Secunderabad

.. Petitioner

AND

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Velagapudi, Amaravathi,
Andhra Pradesh State and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.30577 OF 2017****ORDER:**

Heard.

2. Petitioner claims to be a shareholder of the land to an extent of 1246.3 sq. yards in Survey Nos.98/19, and 20 of Rajupalem Village, Anakapally Mandal, Visakhapatnam. According to the petitioner, respondents 6 to 26 have executed Development Agreement with Irrevocable General Power of Attorney in favour of respondent No.5 without signatures of other respondents, including the signature of the petitioner, and without the knowledge and consent of the petitioner, the 6th respondent executed documents in favour of the 5th respondent and the 5th respondent, in turn, executed the sale deeds in favour of the prospective purchasers. Opposing such registration, petitioner filed complaint/representation dated 12.06.2017 before the District Registrar and Sub-Registrar not to entertain such documents for registration. Alleging inaction on the said representation, this Writ Petition is filed.

3. During the course of hearing, learned counsel for the petitioner contended that civil litigation is pending, wherein injunction applications are also filed.

4. Be that as it may, there is no provision in the Registration Act and the Rules framed thereunder, which contemplate entertaining of an objection petition even before the document is

presented for registration. Furthermore, even if a document is presented for registration, the objection can be considered only if the conditions mentioned in Rule 58 of the Registration Rules are satisfied, before accepting the document for registration. Even before any document is presented for registration and the validity of the document is not hit by the Act and the Registration Rules, the registering authority cannot be compelled not to receive the document for registration. If the petitioner or any other person has a grievance regarding execution of the document in favour of the 5th respondent or illegal transactions undertaken by other respondents, he has to avail appropriate remedy available in law. In fact, as stated by learned counsel for the petitioner, such remedy is already availed by the petitioner.

5. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out his 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.

Date:11.09.2017

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P. NAVEEN RAO, J