

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.14748 OF 2017

ORDER:

The grievance of the petitioners is that though the subject land i.e. Ac.8-24 cents in Sy.No.389/2 of Mudivedu Village, Kurabalakota Mandal, Chittoor District is not included in the list of prohibited properties under Section 22-A (1) (e) of the Registration Act (for short "the Act"), the 5th respondent is not entertaining the registration of the same on the ground that the said property is included in the list of prohibited properties sent by the 4th respondent in proceedings vide Roc.No.C/75/2016, dated 10-05-2016. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioners says that the 4th respondent is not competent to send the list of properties prohibited for registration under Section 22-A (1)(e) of the Act, it is only the District Collector is the competent to send the list of prohibited properties for registration. It is the Commissioner of Endowments or Secretary to Wakf Board is competent to send list of properties falling under Section 22-A (1) (c) of the Act

Learned Assistant Government Pleader for Revenue submits that, as on today, the petitioners have not approached the registration authorities for registering of the

documents, if the petitioners approach the registration authorities, they will consider the same and pass orders.

In view of the same, it is open for the petitioners to present documents before the 5th respondent and on such presentation, the 5th respondent is directed to entertain the registration of the documents presented by the petitioners and register the same if the subject land is not in the prohibited list of properties sent by competent authorities as held by Full Bench of this Court in the judgment of **Vinjamuri Rajagopala Chary v. Principal Secretary, Revenue Department, Hyderabad**¹ and if the same are in order as per provisions of the Indian Stamp Act and the Registration Act and the rules made thereunder if he wants to refuse to register the same, he shall record reasons and communicate the same to the parties.

With the above direction, this writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

24-04-2017
Nvl

¹ 2016(1) ALT 550 (F.B.)

