

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.7590 OF 2017**

**ORDER :**

This writ petition is filed seeking writ of mandamus declaring the proceedings of the 5<sup>th</sup> respondent dated 23.10.2015 in refusing the document vide P.No.439 of 2015 presented by the petitioner in respect of plot No.1(part) with an extent of 211.11 sq.yds in Sy.No.228 of Cherlopali village, Chandragiri Chittoor District as illegal and arbitrary and consequently to direct the 4<sup>th</sup> and 5<sup>th</sup> respondents to receive, register and release the document P.No.439 of 2015.

It is the case of the petitioner that he purchased the land i.e., Plot No.1 (part) in Sy.No.228 of Cherlopalli village, Chandragiri, Chittoor District with an extent of 211.11 sq.yds, from its lawful vendor M.Gangadevi, W/o.M.Subramanyam and presented the same for the registration on 30.07.2015 before the 5<sup>th</sup> respondent, which was assigned Pending Document No.439 of 2015. The 5<sup>th</sup> respondent authority passed an order of refusal of the registration in pending document No.439 of 2015 on 23.10.2015. That the petitioner was not aware of the refusal order passed by the 5<sup>th</sup> respondent as he was not in country on the day of passing of the refusal order and same is not communicated to the petitioner. Though the petitioner made appeal to the 4<sup>th</sup> respondent by way of representation on 18.02.2017 to consider the document for registration, but no

orders are passed on the same. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for revenue.

Learned counsel for the petitioner submits that the land acquisition proceedings were dropped by Roc No.G3/4537/2015, dated 31.05.2016 and same was also mentioned in the representation before the 2<sup>nd</sup> respondent, as such, the ground for refusal of registration does not exist. He submits that though the petitioner made representation dated 18.02.2017 before the 4<sup>th</sup> respondent, no action is being taken by the 4<sup>th</sup> respondent.

It is to be seen that the impugned proceedings of the 5<sup>th</sup> respondent dated 23.10.2015 goes to show that the documents presented by the petitioner were refused on the ground that the said survey number was under land acquisition. But the proceedings in Roc No.G3/4537/2015, dated 31.05.2016 passed by the 2<sup>nd</sup> respondent shows that the land acquisition proceedings were dropped. The said aspect was also brought to the notice of the 4<sup>th</sup> respondent.

In view of the aforesaid facts and circumstances, the 4<sup>th</sup> respondent is directed to consider the representation of the petitioner dated 18.02.2017 by taking into account the proceedings of the 2<sup>nd</sup> respondent in Roc No.G3/4537/2015, dated 31.05.2016 and thereafter take necessary action, in accordance with law, for registration of the documents presented by the petitioner in respect of the subject land in the writ petition,

if the same are in order as per provisions of Indian Stamp Act and Registration Act and the Rules made thereunder.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

14.03.2017  
kvs

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**A.RAJASHEKER REDDY, J**



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Date: 14.03.2017

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