

THE HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 26865 of 2017

ORDER:

- 1) The present writ petition came to be filed seeking issuance of writ of mandamus, declaring the Draft Memo No.G2/ 19134/ 2011, dated 01.12.2011 issued by the 2<sup>nd</sup> respondent and the proceedings in Rc.No.297/ 2013-A, dated 15.02.2013 of the 5<sup>th</sup> respondent, as illegal and contrary to the provisions of the Registration Act, 1908 and set aside the said memo and proceedings; and consequently direct the 6<sup>th</sup> respondent to register the petitioner's documents for the property in Sy.No.364 near to D.No.29-253 vide plot Nos.3 and 2 B admeasuring 50, 88-89 and 290-4 square yards situated at Vinukonda Town and Mandal, Guntur District, without reference to the said draft memo and proceedings.
- 2) The petitioner claims to have purchased the above said plots through registered sale deed bearing document No.3740 of 2007. The grievance of the petitioner is that when he is intending to sell the said property, 6<sup>th</sup> respondent is not entertaining the same basing on the draft memo dated 01.12.2011.
- 3) Unless a Court of competent jurisdiction has granted injunction against alienation of the properties in respect of which documents are sought to be registered by the petitioner, the 6<sup>th</sup> respondent cannot refuse to register the same. Therefore, 6<sup>th</sup> respondent is directed to receive and register the documents, if any, presented by the petitioner, subject to complying with the provisions of the

Registration act, 1908 and the Indian Stamp Act, 1899, unless there is an order of injunction against alienation of the properties in question by a Court of competent jurisdiction.

4) With the above direction, the Writ Petition is disposed of. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

11.08.2017  
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