

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.2315 OF 2017

ORDER :

It is the case of the petitioner that the land to an extent of Acs.4.85 cents in Sy.No.157-1 situated at Kalluru Village, Lepakshi Mandal, Ananthapur District is owned by K.Ramakrishna Rao and K.Venugopal Rao. That the petitioner purchased the same after verifying the title and rights over the subject land and approached the 5th respondent and presented the document for registration on 17.12.2016. That the 5th respondent having collected the Stamp Duty and other registration charges on 17.12.2016, registered the document as pending document No.267 of 2016, but the same is neither refused nor released after registration. That the 4th respondent issued endorsement vide Rc.No.296/A2/2016, dated 13.12.2016 stating that the subject land was assigned land in favour of Karanam Sanjeeva Rao vide DAR Dis.No.313/54, dated 08.06.1950. Though the petitioner has produced the aforesaid document dated 08.06.1950, the 5th respondent is not releasing the document. 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 reiterated the averments in the affidavit filed in support of the writ petition while placing

reliance in the judgment of this Court in W.P.No.7254 of 2009, dated 07.04.2009.

In this case, it is to be seen that the 5th respondent, having received the stamp duty and registration charges and having assigned Pending Document No.267 of 2016, has to register the said document and if he wants to refuse the same, he has to record reasons as envisaged under Section 71 of the Registration Act, 1908, but cannot keep the document pending with him. More so, the petitioner asserts that the subject land was assigned on 08.06.1950, as per the endorsement given by the 4th respondent in Rc.No.296/A2/2016, dated 13.12.2016.

In view of the same, the 5th respondent is directed to take further action on the document in pending document No.267 of 2016 while taking into account the endorsement issued by the 4th respondent dated 13.12.2016 for registering the same if the same is in order as per provisions of Indian Stamp Act and Registration Act and the Rules made thereunder. If he wants to refuse registration, he shall record reasons as envisaged under Section 71 of the Registration Act, 1908.

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

A.RAJASHEKER REDDY, J

24.01.2017
kvs

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Date: 24.01.2017

kvs

