

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.35171 OF 2017

Date: 24.10.2017

Between:

Manda Ilaiah, S/o Ramaiah, Aged about 67 years,
occu: Agriculture, R/o. Battisavargaon village, Mavala
mandal, Adilabad district.

.....Petitioner

and

The State of Telangana, rep.by its Principal Secretary,
Revenue Department, Secretariat, Hyderabad and
others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be the owner and in possession of agricultural land to an extent of Ac.1.20 cents in Sy.No.72/16 of Battisavargaon village, Mavala Mandal, Adilabad district. Petitioner's grievance in the present writ petition is limited to the extent that when petitioner presented the document for registration in the process of disposing of the said property, registering authority is not accepting the document.

2. However, when specifically asked, learned counsel for petitioner is unable to answer as to whether relevant stamp duty and registration fee is paid and after drafting the document, when it was presented.

3. Since there is no proof of presentation of document after payment of stamp duty and registration fee, it cannot be said that registering authority erred in not accepting the document, warranting issuance of direction as sought for by petitioner. Thus, leaving it open to the petitioner to present the document after payment of stamp duty and registration fee, writ petition is disposed of. It is needless to observe that if document is presented for registration after complying the registration formalities, registering authority shall receive the document and process the same in accordance with the Indian Registration Act, 1908 and the Rules made there under. If registering authority has any objection for registering the document, it is open to the registering authority

to assign due reasons in support of the decision to refuse the registration and communicate the same to the petitioner.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P.NAVEEN RAO

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