

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.35093 OF 2017

Date: 24.10.2017

Between:

G.Kishore Kumar S/o Sri G.Krishna,
Aged about 47 years, Occu: Business,
R/o Plot No.62, Brindavan Colony, Kapra,
ECIL Post, Hyderabad.

.... Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department
(Registrations), Secretarial Building,
Hyderabad and others.

.... Respondents



The Court made the following:

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.35093 OF 2017

ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue (TG) for respondents.

2. Petitioner alleges that he purchased the House No.1-1-21/30/2/A & 1-1-21/30/2 on plot No.53/Part and 54 in Sy.No.172/23 consisting of ground and first floors admeasuring 367.34 square yards situated at Ramnaresh Nagar, Hydernagar village, Kukatpally Municipality, Kukatpally Mandal (Balanagar Mandal), Medcha-Malkajgiri district (Ranga Reddy District) for a valid sale consideration vide Document No.2504 of 2011 dated 13.06.2011 and now he intends to dispose of the said property. Alleging that the registering authority is not receiving the document presented by the petitioner for registration, this writ petition is filed.

3. The material on record would disclose that though a document is drafted for presenting it before the registering authority, no proof is filed that the document is presented for registration and the registering authority refused to receive the same. On a question posed by the Court, learned counsel for the petitioner submits that no notification is issued under Section 22-A of the Registration Act, prohibiting registration of the properties. If that being so, there can be no objection for the registering authority to receive the document presented by the petitioner. However, it is also seen that so far petitioner has not paid stamp duty and registration charges to show his *bona fides*.

Thus, it cannot be said that the action of the respondents in not receiving and processing the document presented by the petitioner is illegal. Therefore, no relief as sought for by the petitioner can be granted to him.

4. The Writ Petition is accordingly disposed of, granting liberty to the petitioner to present the document after paying stamp duty and registration charges. As and when such document is sought to be presented, the registering authority shall receive and process the same in accordance with the Registration Act and the Rules framed there under. If the registering authority has any objection for accepting the document for registration, it is open to it to refuse registration by assigning due reasons in support of its decision. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date: 24.10.2017
kkm

JUSTICE P.NAVEEN RAO

HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION No.35093 OF 2017

Date: 24.10.2017

kkm