

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.39151 of 2017

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Assignment appearing for respondents.

2. Petitioner has filed this Writ Petition aggrieved by the action of 3rd respondent in refusing to register the document presented by petitioner for the purpose of registration on the pretext that the said land is included in the list of prohibited properties communicated by the Endowments Department dt.05-07-2016 to the 3rd respondent.

3. The matter had appeared in the list on 21-11-2017 and to enable the learned Government Pleader for Assignment to get instructions, it was adjourned to 29-11-2017. On 30-11-2017 again at the request of the learned Government for Assignment, it was adjourned to 04-12-2017 to obtain instructions. On 05-12-2017, on payment of costs of Rs.2,000/- to the High Court Legal Services Committee within one week, the matter was posted to 12-12-2017 for instructions since already time had been sought earlier by the learned Government Pleader.

4. Today, when the matter is again come up before this Court, time is again sought for filing counter.

5. It is clear that respondents have adopted an attitude to evade hearing before this Court in spite of being made liable to pay costs on the earlier occasion. This sort of attitude adopted by respondents cannot be countenanced. It is obvious that without any valid reason, the property claimed by petitioner is included in the list of properties under Section 22-A of the Registration Act, 1908 by respondents.

6. Therefore the Writ Petition is allowed, the 3rd respondent is directed to receive the documents presented by petitioner for the purpose of registration and register the same under the provisions of the Registration Act, 1908 and Stamp Act, 1899 without reference to the prohibitory list communicated by the Endowments Department dt.05-07-2016 and register the same ignoring the Endowments' letter, within four (04) weeks of the presentation of the documents by petitioner. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 18-12-2017
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