

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.35895 OF 2017

Date: 27.10.2017

Between:

K.Venkat Reddy s/o. Ramaswamy Reddy,
Aged about 60 years, Occu: Agriculture,
R/o Rudravaram village, Kurnool Mandal,
Kurnool District.

.... Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Department of Revenue
(Stamps & Registrations), A.P.Secretariat
Buildings, Velagapudi, Amaravathi,
Guntur District and others.

.... Respondents



The Court made the following:

HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.35895 OF 2017****ORDER:**

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

2. Petitioner claims to be the owner and in possession of land to an extent of Ac.4.32 cents in Sy.No.648 of Rudravaram village, Kurnool Mandal and district having inherited the same from his father. Petitioner intends to dispose of the said property and requested the Sub-Registrar to furnish market value. Though market value was indicted for the property, but described as prohibited property. Thereafter, petitioner prepared the document of sale for registration, but the Sub-Registrar refused to receive the document. Aggrieved thereby, this writ petition is filed.

3. The material on record would disclose that though 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

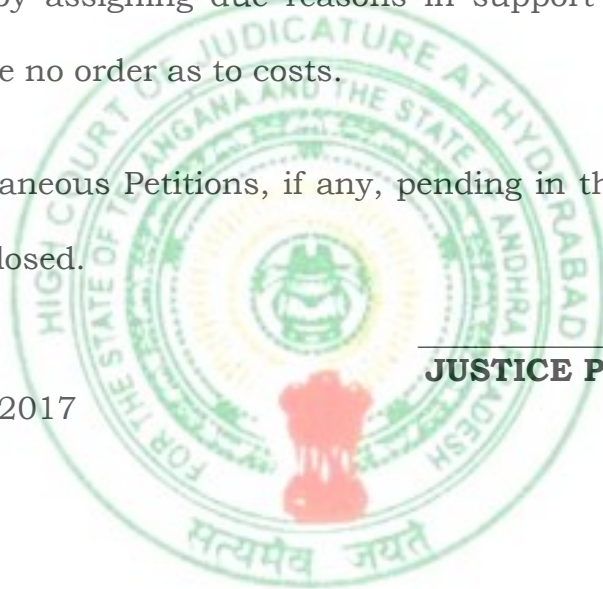
is illegal. Therefore, no relief as sought for by the petitioner can be granted to him.

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: 27.10.2017
kkm

JUSTICE P.NAVEEN RAO



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