

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO.152 OF 2018

ORDER:

It is the case of the petitioners that one Abdul Wahab is the absolute owner and possessor of land of an extent of Ac.5.17 guntas in Sy.Nos.722 and 723 situated at Gadwal Mandal and Gadwal district, having purchased the same under an agreement of sale. Subsequently, the said agreement of sale was validated by the Tahsildar and mutation was also effected and the pattadar pass books and title deeds were also issued. The land was divided into plots and some plots were sold. The petitioners wanted to purchase plot Nos.22 and 136 from the said Abdul Wahab. The required stamp duty and registration fee was also paid on 6.4.2017. But the 3rd respondent refused to receive the documents by stating that the 1st respondent issued GO.Ms.No.121 dated 1.6.2016 and also issued another letter dated 13.9.2017 addressed to the vendor, Abdul Wahab asking him to produce certain documents. The same is challenged in the present writ Petition.

Learned Senior Counsel Sri P.Veera Reddy, appearing for the petitioners submits that the 3rd respondent has no jurisdiction to issue the impugned letter dated 13.9.2017 as the

provisions of the Registration Act does not empower him to call for such information. He further submits that some plots were already registered in favour of the purchasers and the objection raised by the 3rd respondent is untenable.

Be that as it may, when a document was properly drafted and fulfils the requirement of Registration Act, the 3rd respondent had to take the document and consider the same in accordance with the provisions of the Registration Act. He cannot travel beyond his jurisdiction.

In the circumstances, this Writ Petition is disposed of by directing the 3rd respondent to receive the document submitted by the petitioners in respect of plot Nos.22 and 136 and if the said documents fulfil the requirements of the provisions of the Registration Act, the 3rd respondent shall take further action in accordance with law. If the 3rd respondent, for any reason, feels that the said documents cannot be registered, he shall make an endorsement under Section 71 of the Registration Act and communicate the same to the parties.

The Writ Petition is accordingly, disposed of.

Pending miscellaneous petitions, if any, shall also stand closed . No order as to costs.

A. RAMALINGESWARA RAO,J

Date: 24.1.2018
KPM