

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 2862 of 2018

Order:

This writ petition is filed seeking Writ of Mandamus declaring the action of the fifth respondent in refusing to register the document presented by the petitioner in Sy.No.43, plot Nos.59 and 68, admeasuring 240.46 sq. yards, of private lay out laid in an extent of Acs.4.04 cents out of Ac.16.16 cents, situated at Chakirala Grampanchayat, Kanigiri Mandal, Prakasam District, Andhra Pradesh, as illegal and arbitrary and consequently to direct the fifth respondent to register the document.

The issue involved in this writ petition is squarely covered by the orders of this Court in W.P.No.17809 of 2015 and batch dated 22.06.2015 and same is not disputed by the learned Assistant Government Pleader for Revenue.

Heard Sri Gada Venkateswarlu, learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

For the reasons alike in the common judgment in W.P.No.17809 of 2015 and batch, dated 22.06.2015, this writ petition is disposed of directing the Sub-Registrar, Kanigiri, Prakasam District, to receive and process the document presented by the petitioner without insisting upon NOC and in the event the document presented fulfils the requirements of the Registration Act, 1908 and the Indian Stamp Act, 1899, he shall register and release the document in accordance with the due procedure. If, however, the Sub-Registrar, Kanigiri, Prakasam District, is of the opinion that the document presented for registration warrants denial, he shall pass orders in writing indicating the reasons for such refusal and communicate the same to the party in accordance with Section 71 of the Registration Act, 1908.

As a sequel thereto, the miscellaneous petitions, if any, pending in this writ petition, shall stand closed. There shall be no order as to costs.

A. RAMALINGESWARA RAO, J

Date: 31.01.2018

Note:

Office to attach copy of order in WP No.17809 of 2015 and batch dated 22.06.2015 to this order.

(B/O)

Nsr

