

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.36879 OF 2016

ORDER:

It is the case of the petitioners that they are the owners of property bearing D.No.9/380-G situated at Ward No.9, Mannur Village fields, Yerraballi Segment-2 residential area, Rajampet Municipality, Kadapa District, having purchased the same under a registered document bearing No.1518/2009 for a valuable consideration. It appears that they executed power of attorney in favour of third petitioner. Petitioner No.3 wanted to sell the property and approached the second respondent, but the second respondent refused to register the document on the ground that the property was included in the prohibited list communicated to him.

2. Learned counsel for the petitioners submits that what was communicated by the second respondent is an extent of Ac.1.10 cents situated in Survey No.396-1 of Mannur Village, Rajampet Mandal, YSR Kadapa District, which was allotted to Z.P.High School, for education purpose. The property, which is sought to be sold, is not situated within the said land as survey No.396 is of an extent of Ac.2.95 cents and the present property is apart from the said property of Ac.1-10 cents. Learned counsel for the petitioners further submits that the understanding of second respondent is not proper and he cannot refuse registration of the sale deed.

3. In the circumstances, the Writ Petition is disposed of directing the second respondent to receive the document submitted for registration, if any, by the petitioners and after he complied with all the formalities, it is open to the second respondent to take appropriate action in accordance with law including making an endorsement under Section

71 of the Registration Act. In case, he wants to refuse registration of the document, it is also open to him to make enquiries with revenue authorities in view of the submission made by learned counsel for the petitioners that the present property is not one of the prohibited properties included under Section 22-A (1)(b) of the Registration Act, 1908.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

JANUARY 23, 2018

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Date:23.01.2018