

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.10826 OF 2018

ORDER:

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

2. The deed of conveyance presented by the petitioner concerning the land in Survey No.540 situated at Kothapeta Village, Vetapalem Mandal, Prakasam District was processed and by proceedings dated 06.02.2014 (intimation of refusal), the Sub-Registrar refused to register the document on the ground that the said property is included in the prohibited list of properties under Section 22-A (1) (a) of the Registration Act, 1908. The document, filed as Ex.P6 dated 12.12.2017 in the office of the Sub-Registrar, Chirala, would disclose that the said property is deleted from the prohibited list of properties. The petitioner, therefore, submits that there is no impediment in processing the deed of conveyance and the action of the respondents in not considering his application is illegal.

3. There is no material on record to show that the factum of subsequent deletion of the subject property was informed to the Sub-Registrar and request was made to process the document. Thus, it cannot be said that the Sub-Registrar erred in not acting on the request of the petitioner to process the document in order to grant the relief as prayed for.

4. Having realised the fact that subsequent deletion of the subject property from the prohibited list of properties was not apprised to Sub-Registrar, learned counsel for the petitioner requests to grant permission to make an application to the Sub-

Registrar, Chirala intimating subsequent decision of the revenue authorities deleting the subject property from the prohibited list of properties. Leave is granted. If such request is made, the Sub-Registrar, Chirala shall verify whether the subject property is deleted from the prohibited list of properties and if so, whether the document is otherwise in order and accordingly, process the document for registration. If the Sub-Registrar is of the opinion that the document in the present form cannot be processed for registration, he shall furnish reasons to the petitioner to enable him to comply with those objections and appropriate decision shall be taken and communicated to the petitioner within three (3) weeks from the date of receipt of application by the petitioner.

5. The Writ Petition is accordingly disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(P.NAVEEN RAO, J)

3rd April 2018
RRB