

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.11180 OF 2018

Dated:17.04.2018

Between:

M/s. Salasar Hanuman Agrotech Foods (P) Ltd.,
Having its regd. Office at D.No.19-2-226,
Miralam Tank Road,
Bahadurpura, Hyderabad, represented by its
Director, Sri Ajay Kumar Kedia,
aged 39 years and others.

... Petitioner

And

The District Registrar,
Stamps and Registration,
Red Hills, Hyderabad

... Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.11180 OF 2018****ORDER:**

Petitioners presented mortgage deed dated 30.03.2018 for registration before the Sub-Registrar, Serlingampally and Sub-Registrar, Doodbowli, but, both of them refused to receive.

2. Learned Assistant Government Pleader, on instructions, would submit that the assignment deed was registered on 24.03.2015 in the office of the Sub-Registrar, Serlingampally as per the then prevailing procedure of anywhere registration, whereas, as the subject properties do not fall into the jurisdiction of Sub-Registrar Office, Serlingampally. Thus, he cannot accept the deed of conveyance. Learned Assistant Government Pleader would submit that the properties are falling within the jurisdiction of Sub-Registrars Office at Uppal, Doodbowli - Hyderabad South and Sangareddy. The petitioners have to file the concerned documents before the concerned Sub-Registrars office, and if such documents are presented before the respective Sub-Registrars, the document would be processed for registration. Learned Government Pleader also states that the petitioners have not presented the documents for registration.

3. In response, learned counsel for the petitioners would submit that they only approached for presentation of the document and that stage only, orally they were informed of the objection. Learned counsel for the petitioners also sought to contend that there were certain objections also raised by the Sub-Registrar and those objections are not tenable.

4. As so far document is not presented and when petitioners only claim to have approached the Sub-Registrars seeking to present the document and alleges that they informed that documents can not be processed, this Court is not inclined to go into the other aspects. It is for the concerned Sub-Registrar to process the document as and when presented before him and if he has objection to register the document, he has to assign due reasons in support of the decision to refuse to register the document. In such event, the petitioners can avail appropriate remedy as available in law. Even before documents is presented and decision is made by the Sub-Registrar, the Court cannot assume, take oral statement as gospel truth and direct the Sub-Registrar to act in a particular manner in processing the document for registration.

5. Thus, leaving it open to petitioners to present the documents before appropriate Sub-Registrars, where the properties are located and concerned Sub-Registrars are directed to receive and process the same in accordance with

the Indian Registration Act and the Rules made there under.

It is needless to observe that if the Sub-Registrars raise objections against registration, petitioners shall workout their remedies available under law.

6. Accordingly and with the above directions, this writ petition is disposed of. Pending miscellaneous petitions stand closed in consequence. No order as to costs.

P.NAVEEN RAO, J

17.04.2018
SS



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17th APRIL, 2018

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