

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.12815 OF 2018

Date: 16.04.2018

Between:

Kilari Ravi Kumar, s/o. Narasimha Rao, Aged about 49 years,
Occu: Govt.Employee, R/o. H.no.11-407/2, 2nd Lane,
Panduranga Nagar, Amaravathi Road, Guntur District,
Andhra Pradesh and another.

.... Petitioners

and

State of Andhra Pradesh, rep.by its Principal Secretary,
Revenue Department, Velagapudi, Amaravathi,
Guntur district and others.

.... Respondents



The Court made the following:

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ORDER:

Petitioners claim that first petitioner is the owner and possessor of land to an extent of Ac.0.50 cents in Sy.No.87/2A and Ac.3.50 cents in Sy.No.87/2C1 of Balemarru village, Krosur Mandal, Guntur District and second petitioner is owner and possessor of land to an extent of Ac.1.00 cents in Sy.No.45/4 of the same village. Petitioners claim that they were issued pattadar pass books and title deeds. While so, respondents 6 to 8 being relatives executed sale deed on the subject lands. In this writ petition, petitioners seek a direction declaring the action of respondents 4 and 5 in not taking action for cancellation of sale deed is illegal and arbitrary.

2. Registration Act does not envisage any provision for cancellation of duly registered sale deed. Once document presented before the registering authority is accepted, the registering authority becomes *functus officio*. Remedy of appeal is created only against rejection of document filed for registration under Section 72 of the Registration Act. In the absence of statutory provision enabling the registering authority to cancel the previously registered deed of conveyance on his own, no direction as sought can be granted. Furthermore, representation submitted by petitioner to the District Collector was only to take action against officials working under him. No request was made to cancel the deed of conveyance. Even otherwise no such power is assigned to the District Collector as registering authority is not subordinate to him. Learned counsel for petitioner sought to place reliance on the

report of Tahsildar dated 01.03.2018 requesting the Sub-Registrar informing that some fraud is played and Tahsildar requesting the Sub-Registrar to cancel the deed for registration. In the absence of any provision in the statute regulating registrations merely because Tahsildar requested the Sub-Registrar, no direction can be given. Thus, writ petition merits no consideration and is accordingly dismissed, leaving it open to the petitioner to work out his remedy as available in law, if so advised, aggrieved by registration of deed of conveyance executed by respondents 6 to 8 in favour 9th respondent. Pending miscellaneous petitions shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

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