

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14109 OF 2018

DATED :23.04.2018

Between :

Smt Saripalli Uma Maheswari W/o.Late Venkata Ramana,
Aged 49 yrs, Occu : Household duties,
R/o.D.No.7-181, Sanjaygandhi colony,
Ariova Colony, Visakhapatnam.

.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Revenue (Stamps & Registration)
Secretariat, Velagapudi, Amaravathi,
Guntur District & others.

.. Respondents



This court made the following :

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WRIT PETITION No.14109 OF 2018

ORDER :

The petitioner is aggrieved by the action of the Joint Sub-Registrar, Madhurawada, Visakhapatnam (2nd respondent), in not registering the document presented by her in respect of Plot No.144 in Survey No.127 Part of Madhurawada Village, Visakhapatnam Rural and Mandal, Visakhapatnam District. This refusal by the Registration Authority is based on the request of the Visakhapatnam Urban Development Authority (VUDA) under its letter, dated 12.04.2012.

2. When the matter is taken up for consideration, learned counsel for the petitioner as well as the learned Standing Counsel representing VUDA represented that the subject matter is covered by the earlier decisions of this Court in W.P.Nos.23217 of 2012 and 21093 of 2013.

3. This Court had occasion to consider this very issue in W.P.No.23217 of 2012. A copy of the order, dated 12.12.2012, passed therein is placed on record. Perusal thereof reflects that this Court held that Section 22-A of the Registration Act, 1908, did not empower the VUDA to address a letter to the Registering Authority restraining it from entertaining and registering documents. The said writ petition was accordingly allowed with directions.

4. For reasons alike as were mentioned in the above order, this Writ Petition is allowed directing the Joint Sub-Registrar, Madhurawada, Visakhapatnam (2nd respondent) to receive and process the document presented by the petitioner in respect of the

Plot No.144 in Survey No.127 Part of Madhurawada Village, Visakhapatnam Rural Mandal, Visakhapatnam District, without reference to the letter, dated 12.04.2012, issued by the VUDA. In the event the document presented is found to fulfill the requirements of the Registration Act, 1908 and the Indian Stamp Act, 1899, the Joint Sub-Registrar, Madhurawada, shall complete the registration formalities and release the document in accordance with the due procedure. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

23rd April, 2018
Rds



P.NAVEEN RAO,J