

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 15340 of 2018

Date : 2.5.2018

Between:

G Himamsu Kumar S/o G K Naidu
46 years
R/o Kattulakaviti village, Veeraghattam mandal
Srikakulam district,

Petitioner

And

The State of A P
Rep by its Principal Secretary,
Stamps and Registration Department,
Secretariat, Guntur and others

Respondents

The Court made the following:



ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue and with their consent the writ petition is taken up for disposal at the admission stage.

2. According to petitioner, land to an extent of Ac.2.16 in Survey No. 19/2, Veeraghattam mandal, Srikakulam is private patta land and even though Tahsildar clarified that subject land does not come under the land ceiling declaration, Registering Authority is not entertaining the document.

3. The Registering Authority is required to process deed of conveyance strictly in accordance with the provisions of the Registration Act and Rules made thereunder. If property is included in the list of prohibited properties, he cannot process the deed of conveyance, unless said property is excluded from the list of prohibited properties by competent authorities. Learned counsel contends that subject land is not included in the list of prohibited properties, whereas, on instructions, learned Government Pleader contends that subject property is included in the list of prohibited properties.

4. Having regard to the rival contentions, as and when deed of conveyance is presented before him, second respondent Sub Registrar is directed to verify whether the subject property is included in the list of prohibited properties, if so, he shall inform the same to petitioner and if it is not included in the list of prohibited properties, he shall receive and process the deed of conveyance subject to compliance of other formalities. It is also open to the Registering Authority to refuse registration for any other reason. Accordingly, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 2-05-2018

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