

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.15594 OF 2018

DATE: 30.04.2018

Between :

Narem Chandrasekhar Reddy s/o. late Venkatadri Reddy,
Aged about 66 years, occu: Agriculture, R/o. Kotapalli Road,
Piler town and mandal, Chittoor district.

.... Petitioner

and

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

.... Respondents



This Court made the following :

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ORDER :

Petitioner claims to own Ac.3.29 cents, which is fallen to his share, in Sy.No.527 of Piler village and mandal, Chittoor district. According to petitioner, unofficial respondents are now taking active steps to dispose of this property and if the deeds of conveyance are registered, grave prejudice would be caused and no such registration should be taken up and, therefore, seeks declaration of action of 3rd respondent in registering the documents, which is subject matter of appeal pending before the 2nd respondent.

2. Against the mutation of names of unofficial respondents and issuance of pattadar pass books and title deeds, petitioner preferred appeal before the Sub-Collector under Section 5 (5) of the A.P. Rights in Land and Pattadar Pass Books Act, 1971. Alleging in action on the said appeal, petitioner earlier filed W.P.No.11259 of 2018. This Court disposed of the said writ petition by order dated 04.04.2018 directing the Sub-Collector to consider the appeal and pass appropriate orders within a period of eight weeks from the date of receipt of that order. The time granted by the Court has not expired. While so, this writ petition is filed seeking declaration as briefly referred to above.

3. The registering authority is required to act in accordance with the provisions of Registration Act, 1908 and the Rules made there under. There is no provision in the Registration Act which can enable the registering authority to refuse to receive the deeds of conveyance presented before him after due compliance of formalities. A document can be refused for registration, only if the property is included in the list of prohibited properties under Section 22-A (1) of the Registration Act. There is no other provision which vests power in the registering authority to refuse to receive the deeds of conveyance presented before him. If that

is so, no mandamus can be issued directing the registering authority not to entertain the deed of conveyance. It is well settled principle of law that on registration of deed of conveyance, title do not validly pass on to the purchaser of the property unless there is valid title vested in a person alienating the property. Writ petition is dismissed. Pending miscellaneous petitions shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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