

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.16673 of 2017

ORDER:

Heard Mr.V.Sasanka Bhuvanagiri for petitioner and the learned Assistant Government Pleader for Assignment and Stamps and Registration.

The petitioners claim to be owners of agricultural land in Sy.No.905 Kothapet Village, Vetapalem Mandal, Prakasam District. The petitioners purchased the petition land through registered sale deed No.814 of 1998. The extents purchased by petitioners are Ac.0.04 cents, Ac.0.02 cents and Ac.0.04 cents respectively. Now, the grievance is when the petitioners are taking steps to sell the property purchased by them, the 6th respondent is not receiving the documents and petitioners apprehend that the 6th respondent is not receiving the documents due to inclusion of Sy.No.905 in the list maintained by 6th respondent under Section 22-A of the Registration Act, 1908.

According to petitioners, the inclusion of Sy.No.905 in prohibitory list is illegal and unconstitutional for the land in Sy.No.905 has been

subject matter of sale and purchase from 1938 onwards and there is no condition restricting the transfer by the assignees or successors in interest of assignees. Hence, the writ petition.

The Assistant Government Pleader by referring to the following paragraph of the counter affidavit submits that if the petitioners approach the 6th respondent for registration of documents, the same will be received and processed in accordance with law.

“It is submitted that except ascertaining the market value of the subject property, the petitioners have not present any document before this respondent for registration. Without submitting any document, the petitioners have approached this Hon’ble Court and filed the above Writ petition. If the petitioners present the document before this respondent, this respondent will receive the document and process the same as per the Registration Act and Rules, 1908 and Stamp Act, 1899.”

The statement is placed on record.

Petitioners are granted liberty to approach 6th respondent by enclosing a copy of this order for registration of document presented by them and the 6th respondent considers to register and pass orders in accordance with law.

Writ petition is disposed of, accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 01.05.2018
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