

HON'BLE SRI JUSTICE S.V. BHATT

W.P. Nos.20761, 21101, 21106, 21178, 21326, 21331 AND 21335 OF 2018

COMMON ORDER:

Heard Mr.C.Raghu, Mr.C.Mahesh Kumar and Mr.Mohd. Moin Ahmed Quadri, learned counsel for petitioners and the learned Government Pleader for respondents.

The counsel consent to disposing of these writ petitions by this common order and that reference to one of the prayers and circumstances would be sufficient for disposing of the batch cases. The statement is placed on record and accepted.

W.P. No. 20761 of 2018:

The petitioner prays for Mandamus declaring the action of 3rd respondent in refusing to receive the document presented by petitioner for registration of Plot No.555, admeasuring 267 square yards in Survey No.145, Bhagat Singh Nagar, Hydernagar Village, Kukatpally Circle, Hyderabad, as illegal, arbitrary and amounts to not exercising the jurisdiction conferred on the 3rd respondent by the Registration Act.

In W.P. No.21030 of 2018 (companion writ petition listed today), after taking note of the complaint of petitioner, this Court on 22.06.2018 passed the following docket order:

“The grievance of petitioner is that the 3rd respondent is adopting discriminatory approach in registering the documents presented for registration covered by Sy.No.145/part at Hyderanagar Village. It is further brought to the notice of this Court that this Court has passed several orders to register the documents presented for registration of the property referred to

above. This Court is unable to fathom the reasons that are weighing with the respondents to drive the citizens to this Court for registration of property.

This Court ought not to be converted as a gateway for entering into the office of Sub-Registrar and this Court with a view to give quietus, desires the presence of 2nd respondent on 26.06.2018.

The District Registrar remains present, assist for disposing of the writ petitions.

This Court may consider initiating action, if circumstances warrant, against selective behaviour by any of the registering authorities.

The Assistant Government Pleader is given liberty to communicate the docket order to respondents 1 to 3.

Post on 26.06.2018 in adjourned motion list along with W.P.Nos.12801, 12809 and 12838 of 2018."

The District Registrar and the Joint Sub Registrar-6 are present in the Court.

The petitioner relies on the common order dated 05.02.2018 in W.P. Nos.3389, 3399, 3405 and 3420 of 2018 and contends that the 3rd respondent/Joint Sub Registrar is insisting upon the order of this Court for entertaining the registration. Therefore, the petitioner is constrained to file the writ petition.

Mr.Mr.Durga Reddy, learned Government Pleader, firstly contends that there ought not to be oral refusal to receive a document for registration and secondly, he contends that the petitioner has approached the Court without actually presenting the document for registration. He further submits that the common order of this Court dated 05.02.2018 is not restricting the power or discretion of registering authorities in processing a document presented for registration. On instructions, he submits that the

District Registrar and the Sub Registrar as the case may be will receive the document if presented for registration, process the document; either register the document or pass orders in accordance with law and communicate to the party. In the cases, where the document is pending registration, the Sub Registrar undertakes to process the document; either register the document or pass orders in accordance with law and communicate to the party. The statement is placed on record.

The writ petition is disposed of accordingly. In view of the disposal of the writ petition, the rest of the writ petitions are also disposed of.

Person, if is aggrieved by the communication of the Sub-Registrar, it is needless to observe that he/she can work out the remedies in accordance with law. While disposing of the batch of writ petitions, this Court has not examined the merits of the case of the petitioners or the objections raised by the respondents.

No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

Date: 26.06.2018

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