

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.31655 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus directing the respondents to receive and register the document on its presentation by petitioners or their vendors in respect of land admeasuring 720 square yards in plot Nos.68, 95 and 95A of the 1st petitioner, 700 square yards in plot No.71, 89 and 90 of the 2nd petitioners and 500 square yards in plot Nos.70 and 79 of the 3rd petitioner respectively, comprises of Patta No.42 in Sy.No.151/ C, Sarada Nagar Layout, situated at Vepagunta Village, Pendurthy Mandal, Greater Visakhapatnam Municipal Corporation.

2) It is stated that the petitioners entered into agreements of sale and they intend to get the sale deed registered in respect of the plot of land, referred to in the sale agreements. As such, they approached the respondents along with the agreements of sale, and enquired about the stamp duty and registration fee etc. At that time they were informed that the documents will not be received by the office of the 2nd respondent. Challenging the same, the present Writ Petition came to be filed.

3) From the narration of events it appears that the documents are not yet submitted for registration. The Government Pleader for Revenue (AP), on instructions, states that the land admeasuring Ac.7.03 cents in Sy.No.151/ 1C of Vepagunta Village, is notified as

endowment property and prohibited from registration under Section 22 (A) (1) (c) of the Registration Act. At this stage, the learned counsel for the petitioners would submit that in similar circumstances in W.P.No.6343 of 2018, in respect of the land situated in the same survey number, this Court directed the respondents to receive the documents and then process it in accordance with the provisions of the Registration Act.

4) Having regard to the above, the Writ Petition is disposed of directing the 2nd respondent to receive the documents, presented by the petitioners, if the same are in accordance with the provisions of Indian Stamp Act and the Registration Act and then proceed in accordance with law. If the 2nd respondent is not inclined to register the said documents, for any reason, he shall make an endorsement to that effect and pass an order in accordance with Section 71 of the Registration Act.

5) There shall be no order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

05.09.2018
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C. PRAVEEN KUMAR, J

