

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.32115 of 2018

ORDER:

The only grievance of the petitioner is that he presented the documents for registration of Flats constructed in the name and style of Sree Nithya Towers, C-Block, in Sy.No.148/2 situated in 2nd ward, Annamayya Nagar, Residential Area, Sai Nagar Panchayat, Tirupathi Rural, Chittoor District and the same were given pending registration No.619/2018, but the same are not being registered and released the same. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits that when the Grampanchayat obstructed for construction of the subject flats, the petitioner filed WP.No.40249 of 2017 and this Court directed him to proceed with the constructions strictly in accordance with sanctioned plan. When third parties filed O.S.No.545 of 2017 on the file of Principal Junior Civil Judge's Court, Tirupathi, the Court below by its order dated 13-11-2017 directed the petitioner to maintain status-quo in I.A.No.1466 of 2017 in the said suit, but there is no injunction not to alienate the property. In spite of the same, the 3rd respondent is not registering and releasing the registered documents. The petitioner also filed a representation on 17-08-2018 before the 2nd respondent stating the above facts. But as on today, no orders are passed.

Heard learned Assistant Government Pleader for Revenue.

Having received the documents and assigned pending registration number 619/2018, the 3rd respondent is bound to either register the documents or if he wants to refuse to register, record reasons under Section 71 of the Registration Act (for short “ the Act”). In view of the same, it is open for the 3rd respondent to consider the above aspects and take action on the documents presented by the petitioner.

Accordingly, the writ petition is disposed of directing the 3rd respondent to register and release the documents presented by the petitioner, if the same are in order as per provisions of the Indian Stamp Act and Registration Act and the rules made thereunder and if he wants to refuse to register the same, he shall record reasons under Section 71 of the Act and communicate the same to the parties, otherwise register the same. No order as to costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

23-10-2018
Nvl



