

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.33213 of 2018

ORDER:

1) Heard learned counsel for the petitioner and Government Pleader for Revenue (AP). With the consent of both the parties, the Writ Petition is being taken up for hearing at the admission stage itself.

2) The present Writ Petition came to be filed seeking issuance of writ of Mandamus to declare the proceedings of the second respondent in Draft Memo No.G2/ 19134/ 2011, dated 01.12.2011, as illegal and arbitrary and for a consequential direction to the fourth respondent to receive and register the document that may be presented by the petitioner for registration in respect of land admeasuring 155 square yards in Sy.No.190/ 2, situated at Podili Village and Mandal, Markapuram Revenue Division, Prakasham District, without reference to memo dated 01.12.2011.

3) When the writ petition is taken up for hearing, it is represented by the learned counsel for the petitioners that this Court in similar circumstances disposed of W.P.No.39537 of 2015 and batch vide order dated 07.12.2015 by setting aside the memo.

4) For the reasons alike, this writ petition is also allowed setting aside the Memo No.G2/ 19134/ 2011 dated 01.12.2011 issued by the 2nd respondent. There shall be a consequential direction to the Sub-Registrar, Podili, to receive and process the documents presented by

the petitioners in respect of the subject property without reference to the order dated 15.03.2011 of the High Court of Madras in Contempt Petition No.1205 of 2010. In the event, the documents presented are found to fulfil the requirements of the Registration Act, 1908 and the Indian Stamp Act, 1899, the Sub- Registrar Podili, shall complete the registration formalities and release the documents in accordance with due procedure. If he is not intending to register the same, he shall record reasons and communicate the same to the parties.

5) Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C.PRAVEEN KUMAR

17.09.2018
gkv

