

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 32879 of 2018

ORDER:

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 2nd respondent in Draft Memo No. G2/ 19134/ 2011, dated 01.12.2011, as illegal, without jurisdiction and to issue consequential direction to the 4th respondent to receive and register the document that may be presented by the petitioner for registration, in respect of the property admeasuring 0.07 cents in Survey No. 190/ 2 at Podili village and Mandal, Markapuram Revenue Division, Prakasam district, without reference to the memo of the 2nd respondent dated 01.12.2011.

3. When the writ petition is taken up for hearing, it is represented by the learned counsel for the petitioner 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 dated 01.12.2011.

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 second respondent. There shall be a consequential direction to the Sub Registrar, Podili, to receive and process the documents presented by the petitioner 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 fulfill 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. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

12.09.2018
DMG