

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 33090 of 2018

ORDER:

1) The present writ petition came to be filed seeking to declare the inaction of the 5th respondent in receiving and processing the documents presented in respect of petitioner's land in Survey No. 139, admeasuring Ac.4-00 cents, situated at Kodimi Village, Anantapur Rural Mandal, Anantapur district, for registration, as illegal and arbitrary.

2) The grievance of the petitioner is that he is absolute owner and possessor of the subject land, having purchased the same through registered sale deed dated 14.02.2000 and his name was also recorded in the revenue records. While things stood thus, due to personal necessities, the petitioner wants to sell the subject land in favour of the third parties. As such, he approached the 5th respondent for registration of the same, who refused to receive the document presented by the petitioner, without assigning any reasons.

3) Learned counsel for the petitioner submits that though the petitioner submitted the sale deed for registration of the subject land, in the office of the 5th respondent-Sub Registrar, by complying with all requirements, no action has been taken by the 5th respondent. He further submits that no notification was also issued prohibiting the registration in respect of the said land.

4) Learned Government Pleader for Revenue would submit that a direction may be given to the 5th respondent, to pass appropriate orders on the document submitted by the petitioner.

5) Having regard to the facts and circumstances of the case, the writ petition is disposed of, directing the 5th respondent-Sub Registrar, to receive and process the document presented by the petitioner in respect of Survey No. 139, admeasuring Ac.4-00 cents, situated at Kodimi Village, Anantapur Rural Mandal, Anantapur district, if the same is in accordance with the provisions of the Indian Stamps Act and Registration Act and release the same forthwith. However, if the 5th respondent is not satisfied with the document presented by the petitioner for registration, the 5th respondent shall return the same, assigning the valid reasons, as early as possible, preferably within a period of two to four weeks from today, by giving reasonable opportunity of hearing to the petitioner and all the concerned.

6) With the above direction, the writ petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

14.09.2018
DMG