

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.35703 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader of Revenue. 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 a Writ of Mandamus to declare the proceedings of respondent No.2 in Draft Memo No.G2/19134/2011, dated 01.12.2011, as illegal and arbitrary and for a consequential direction to respondent No.4 to receive and register the document that may be presented by the petitioner for registration in respect of the land admeasuring Ac.0-08 cents in Survey No.190/2 situated at Podili Village and Mandal, Markapuram Revenue Division, Prakasham District, without reference to the Memo, 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.

4. For the reasons alike, this Writ Petition is also allowed setting aside the Draft Memo No.G2/19134/2011, dated 01.12.2011, issued by respondent No.2. 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 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.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C.PRAVEEN KUMAR

October 03, 2018.
MD

