

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.39706 of 2018

ORDER:

Petitioner states that he intended to sell his property bearing D.No.23-35-43 in R.S.No.132/2 of Adavi Seshagirirao Street, Lakshminagar, Vijayawada, Krishna District, as such, he presented a sale deed before the respondent authorities for registration. However, the respondent authorities have kept pending the same vide P.No.1905 of 2018 on the ground that she is the wife of the Chairman and Managing Director of Agri Gold Farm Estates Private Limited and there is a prohibition for dealing with the properties of the said Company. Petitioner further states that the subject property has nothing to do with the said Company or her husband and she purchased the same for a valuable consideration in 2005. She also submits that merely because she is the wife of the Chairman of the Company, it cannot be said that the subject property is a tainted one. Hence, she filed this Writ Petition seeking to declare the action of respondents 3 and 4 in keeping the document pending registration as illegal.

Sri Surender Rao, learned Senior Counsel appearing for the petitioner, while reiterating the averments mentioned in the writ affidavit, would submit that if the respondent authorities passes an order indicating the reasons for keeping the document

pending, the petitioner would be entitled to exercise her rights in law and seek redressal in appropriate forum.

At this stage, learned Assistant Government Pleader for Revenue submits that a direction may be issued to the Sub-Registrar to communicate the reasons for keeping the document pending.

In the light of the above and considering the fact that it is mandatory for the Registering Officer to communicate the reasons if a document is kept pending or not released, as per Section 71 of the Registration Act, the writ petition is disposed of with a direction to respondent Nos.3 and 4 to communicate the reasons to the petitioner for keeping the document pending, within a period of two weeks from the date of receipt of a copy of this order, so as to enable her to avail the remedies as available in law.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:05.11.2018

Note: Issue cc in one week.

(B/o)

kdl

