

THE HON'BLE SRI JUSTICE A. RAJASEKHAR REDDY

W.P.NO.45073 OF 2018

O R D E R

Aggrieved by the action of the 5th respondent – Sub Registrar in not receiving and registering the document presented by the writ petitioner in respect of subject land in plot No.16 in Sy.No.527/3 to an extent of 306 sq. yards situated at Chowdavaram village, Guntur Mandal, Guntur District, the present writ petition has been filed.

The learned counsel for the writ petitioner and the learned Assistant Government Pleader for Revenue submits that this court, considering similar facts and circumstances, has been disposing of the writ petitions, directing the registering authority to consider the registration of the documents if they are in order and not in the prohibited list and that if the said authority intends to reject the same, to pass order under Section 71 of the Registration Act, 1908. Learned counsel submits that the present writ petition may also be disposed of in terms of same directions.

Having regard to the above facts and circumstances of the case and the submissions of the learned counsel, writ petition is disposed of at the stage of admission, directing the 5th respondent – Sub Registrar, Prathipadu, Stamps and Registration Department, Guntur, to consider the registration of the document presented by the petitioner, if the same is in order as per provision of the Indian Stamp Act, 1899 and the Registration Act, 1908 and the Rules made there under and the same is not included in the list of prohibited properties for registration under Section 22-A of the Registration Act, 1908; or prohibited for registration by any order/injunction/attachment, passed by a court, or competent authority.

In case, if he intends to refuse to register the same, shall pass order under Section 71 of the Registration Act, 1908 recording reasons and communicate the same to the petitioner. This exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

Interlocutory applications pending, if any, shall stand closed. No costs.

A.RAJASEKHAR REDDY,J

DATE:13-12-2018
AVS

