

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3051 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:-

For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of respondent Nos.3 and 4 in failing to receive, process and register the Sale Deed dated 23.01.2019 submitted by the Petitioner and others in respect of property admeasuring Acs.19.29 guntas in Sy.No.135 situated at Vattinagulapally Village, Rajendranagar Mandal (Old), presently Gandipet Mandal, Ranga Reddy District, belonging to the Petitioner and others as illegal, arbitrary, unjust and also against the provisions of Registration Act 1908 and consequently direct the Respondents to receive, process and register the documents submitted by the petitioner and others i.e., sale deed dated 23.01.2019 with respect to the subject property and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case."

In the light of the aforestated innocuous prayer, this Court is of the opinion that no adjudication is warranted on merits at this stage. It is for the registration authority concerned to apply his mind to the sale deed presented by the petitioner and take a decision thereon as to whether it can be registered or not.

The Writ Petition is accordingly disposed of directing the Sub-Registrar, Serilingampally at Anjaiah Nagar, Gachibowli, Hyderabad, respondent No.4, to receive the sale deed presented by the petitioner for registration and process the same. In the event, the Sub-Registrar finds that the sale deed is in order and in compliance with the requirements of the Registration Act, 1908, and the Indian Stamp Act, 1899, he shall complete the registration formalities and release the document as per the procedure. However, if he finds any

grounds to refuse registration, he shall record the reasons therefor and issue a refusal order under Section 76 of the Registration Act, 1908, under communication to the petitioner. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of the document.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

12th March, 2019
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JUSTICE SANJAY KUMAR

