

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.4107 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 the respondents in not receiving and registering a document in respect of petitioner's Plots Nos.28, 29 an extent of 80 and 160 Square Yards respectively in total 240 Sq Yards House in Sy.Nos.4, 12, 13 and 14 part situated at Srinivasa Hills, Salarjungkancha Village, Peerzadiguda Medipally Mandal, Medchal-Malkajgiri District as illegal, arbitrary, without application of mind and contrary to the provisions of Stamps and AP Registration Act and without jurisdiction and as well as the violation of fundamental rights guaranteed under the Constitution of India and consequently direct the respondents to receive and register the petitioner sale document in favour of 3rd parties for the above said house 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.”

The matter was adjourned to enable the learned Assistant Government Pleader for Revenue, State of Telangana, to get instructions as to why the registration authorities did not receive the document presented by the petitioner for registration.

Today, the learned Assistant Government Pleader would inform this Court that he received written instructions from the Sub-Registrar, Narapally, Medchal-Malkajgiri District, under letter dated 02.3.2019 to the effect that the petitioner did not present any document for registration before him in relation to the subject land. The Sub-Registrar further stated that in the event any document is presented by the petitioner for registration, the same would be examined in accordance with the due procedure and registered, if found to be in order.

In that view of the matter, the Writ Petition is disposed of permitting the petitioner to present his document relating to the subject land for registration before the Sub-Registrar, Narapally, Medchal-Malkajgiri District. In the event the said document is found to be in order and in full compliance with the requirements of the Registration Act, 1908, and the Indian Stamp act, 1899, the Sub-Registrar, Narapally, Medchal-Malkajgiri District, shall complete the registration formalities and release the document. However, if he finds any grounds to refuse registration of the document, he shall pass a reasoned order of refusal under Section 76 of the Registration Act, 1908 and communicate the same to the petitioner.

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

06th March, 2019
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JUSTICE SANJAY KUMAR