

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.7892 OF 2019

Date:16.04.2019

Between:

Kodipaka Shanta, W/o. Munender,
Aged about 45 years, Occ: Housewife,
R/o.3-12-52/1, Kumarpally,
Hanamkonda City, Warangal Urban
District and another

.. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department,
(Stamps and Registration), T.S. Secretariat
Buildings, Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.7892 OF 2019****ORDER:**

Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for respondents 2 to 5.

2. Petitioners claimed to have purchased the subject property in the year 2018 under a valid sale deed. They now intend to sell the said property and claimed to have entered into an agreement and received part sale consideration and balance amount has to be paid on or before 05.05.2019 and on the said date, the sale deed has to be executed in favour of the purchasers. At this stage, a survey report was prepared by the Mandal Surveyor on 15.03.2019. Petitioners apprehend that if the document is presented by them for registration, the Sub-Registrar may not receive the said document, in view of the survey report and in such an event, great prejudice would be caused to them.

3. Learned counsel for the petitioners therefore urges this Court to direct the Sub-Registrar to receive the document presented by the petitioners.

4. Apparently, so far deed of conveyance is not presented before the Sub-Registrar in due compliance of all the required formalities for registration. The Sub-Registrar would process the same after it was presented and if he is satisfied with the required norms, he would register or in the alternative return the document refusing to register by assigning due reasons in support of his decision. Petitioners cannot allege that the Sub-Registrar may not receive the document on an apprehension that there is adverse survey

report. It is not in dispute that the petitioners have to work out their remedies, if they are aggrieved by the survey report.

5. Thus, leaving it open to the petitioners to present the document for registration by paying the requisite stamp duty and complying with all the required norms, the Writ Petition is dismissed. It is needless to observe that if the petitioners present the document, on due compliance of required formalities, the same shall be processed and appropriate decision be made by the Sub-Registrar. If he has any objection to register the document, he shall assign due reasons in support of his decision and communicate the same to the petitioners. There shall be no order as to costs. Miscellaneous petitions, if any, shall stand closed.

Date:16.04.2019

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P. NAVEEN RAO, J