

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13871 OF 2019

Date:09.07.2019

Between:

C. Sudhakar, S/o. Late Sri CVR Murthy,
Aged about 64 years, Occ: Retd. Employee,
R/o.Flat No.401, Roshini Fort,
Sidartha Layout,P.M. Palem, Visakhapatnam,
Andhra Pradesh State .. Petitioner

And

State of Telangana, rep., by its
Principal Secretary, Revenue (Stamps
And Registration) Department,
Secretariat, Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.13871 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

2. Petitioner claims to be the owner of Plot bearing No.40 in Southern Paradise Phase-I in survey No.725/6 admeasuring 266.66 sq. yards situated in Shamshabad Village and Mandal, Ranga Reddy District. Petitioner intended to sell the said property. Accordingly, on 04.07.2019, he approached the 3rd respondent and submitted the documents for registration and requested to furnish the market value. But, the 3rd respondent refused to furnish the market value stating that the subject property is included in the notification issued under Section 22-A of the Registration Act, 1908. Petitioner contends that on enquiry, gazette notification was issued on 26.09.2013, but the same was set aside by this Court in W.P.No.19069 of 2014, dated 25.08.2014, and therefore not furnishing the market value to the petitioner is illegal.

3. Learned Government Pleader for Revenue points out that the land in Survey No.725/6 is not included in the gazette notification, dated 26.09.2013, and therefore the earlier judgments of this Court are not applicable.

4. Since the land in Survey No.725/6 is not included in the gazette notification, the earlier decision rendered by this Court does not come to the aid of the petitioner. If the property is included in the prohibited list of properties, petitioner has to work out his remedies for deletion of the same. However, no proof is

placed on record to show that the document was presented for registration by paying the requisite stamp duty and the registering authority refused to receive the same. At this stage, this Court is not inclined to grant the relief as sought for by the petitioner. However, it is open to the petitioner to present the subject document before the registering authority for registration by paying requisite stamp duty and as and when such document is presented by the petitioner, the registering authority shall receive the same and take appropriate decision in accordance with law and communicate the said decision to the petitioner as expeditiously as possible.

5. With the above observation, the Writ Petition is disposed of. Miscellaneous petitions, if any, shall stand closed.

Date:09.07.2019

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P. NAVEEN RAO, J