

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.16978 OF 2019

Date : 08.08.2019

Between:

Katakam Vasu, S/o. Katakam Chandramouli,
Aged about 37 years, Occ: Business,
R/o.H.No.14-1-144, Thulasi Nagar,
Borabanda, Hyderabad and others .. Petitioners

And

The State of Telangana, rep., by its Principal
Secretary, Stamps & Registration Department,
Secretariat, Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.16978 OF 2019****ORDER:**

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

2. According to petitioners, they are the owners of flat No.8258, 2nd Floor, Block No.VIII, admeasuring 850 sq. feet in Survey Nos.74/P and 75/P in Janapriya Metropolis; house bearing No.2-56/33/23/52, Plot No.11 in Survey No.11/2 (Part) admeasuring 300 sq. yards of Khanampet Village, Serilingampally Mandal, Ranga Reddy District and another house bearing No.14-1-144, Part of Plat Nos.2 and 38, Survey No.33 of Thulasi Nagar, Alapur Village, Kukatpally Municipality, Ranga Reddy District. They entered into an agreement with M/s. Tata Capital Financial Services Limited to obtain loan of Rs.2,40,00,000/-. They intended to mortgage the above three properties and sought to present the mortgage deed for registration on 31.07.2019. However, the registering authority refused to receive the documents on the ground that the property in Survey No.11/2 (Part), Khanampet Village, is prohibited under the urban land ceiling and therefore it cannot be accepted. But, no material is placed on record to show that a document was presented for registration and the registering authorities refused to receive the same.

3. In view of thereof, subject to petitioners paying requisite stamp duty and registration charges, while presenting the documents for registration with reference to the properties

mentioned in paragraph No.3 of the affidavit filed in support of the Writ Petition particularly with reference to property in Survey No.11/2 (Part) Khanampet Village, the registering authority shall receive and process the same and if the registering authority is not in agreement for the registration of the documents, he shall assign reasons and indicate the decision to the petitioners in writing. If the petitioners are aggrieved by rejection of documents for registration, it is always open to them to work out their remedies as available in law.

4. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, shall stand closed.

Date:08.08.2019

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P. NAVEEN RAO, J

