

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No. 20113 of 2019**

**ORDER :**

This writ petition is filed to declare the action of the 3<sup>rd</sup> respondent Joint Sub-Registrar-I in refusing to receive and register the document ie. Irrevocable General Power of Attorney dated 23.08.2019 presented by the petitioners in respect of the property in Survey Nos. 73 to 93 in an extent of Acs.224.33 guntas situated at Kondapur Village, Serilingampally Mandal, Ranga Reddy District, as illegal and arbitrary.

Heard learned counsel for the petitioners.

Learned Assistant Government Pleader for Revenue on instructions submits that the subject property is not in the list of prohibited properties as per the Sub-Registrar's records.

**Section 71 of the Registration Act reads as follows:**

Reasons for refusal to register to be recorded.—

(1) Every Sub-Registrar refusing to register a document, except on the ground that the property to which it relates is not situate within his sub-district, shall make an order of refusal and record his reasons for such order in his Book No. 2, and endorse the words "registration refused" on the document; and, on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded.

(2) No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered."

As per Section 71 of the Registration Act, the 3<sup>rd</sup> respondent is bound to receive the document and register, if the same is in order

as per the Stamps and Registration Act and the Rules made thereunder. If the 3<sup>rd</sup> respondent wants to refuse the registration, he has to record the reasons therefor as envisaged under Section 71 of the Act, referred to supra.

In view of the above, it is open for the petitioners to present the document before the 3<sup>rd</sup> respondent for registration, on such submission, the latter is directed to receive and register the same, if the same is in order as per provisions of the Indian Stamp Act and the Registration Act and the Rules made thereunder and if he wants to refuse to register the same, he shall record reasons and communicate the same to the parties.

With the above direction, the Writ Petition is disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

---

**CHALLA KODANDA RAM, J**

18<sup>th</sup> September 2019

ksld