

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.20795 of 2019

ORDER:

The petitioner claims that he purchased the land to an extent of Acs.11-20 gts. in Sy.No.41/U, situated at Gafoornagar Village, Kandukur Mandal, Ranga Reddy District, by way of a registered Sale Deed dt.12.07.2011 from one Sri D. Shiva Kumar Reddy. The petitioner now intends to dispose of the said property. However, on verification of the records of the Registration Department, he came to know that the said property is included in the list of Prohibited Properties and as against the said Sy.No.41/U, it is written that there is an order dt.23.07.2007 in I.A.No.392 of 2006 in O.S.No.346 of 2006 passed by the II Additional Senior Civil Judge, Ranga Reddy District, granting temporary injunction restraining the respondents therein from alienating the suit schedule property till disposal of the suit.

2. Learned counsel for the petitioner submits that though initially there was an injunction order granted by the trial Court, since the subject property purchased is included in Schedule-A of the suit schedule property, the plaintiff sought permission to withdraw the said suit insofar as Schedule-A property is concerned and the trial Court granted permission to withdraw the suit to the said extent, vide docket order

dt.09.09.2008. The learned counsel also submits that subsequently, the entire suit itself was withdrawn.

3. Learned counsel for the petitioner further submits that in the year 2011, when the petitioner purchased the subject property, the same was registered without raising any objection. However, now erroneously, the said property is included in the list of Prohibited Properties.

4. Lifting of stay granted earlier and ultimately dismissal of the suit by the trial Court is not disputed by the learned Government Pleader for Revenue. However, on instructions, he submits that the decree passed by the trial Court dismissing the suit with reference to Schedule-A land and subsequently, the fact of dismissal of the entire suit was not brought to the notice of the Sub-Registrar, Maheshwaram.

5. However, it is surprising to note that the Sub-Registrar's instructions are not clear as to how he has entertained the sale deed in the year 2011 when interim injunction order granted in respect of the subject property was subsisting. This kind of attitude of the Registering Authority is not appreciated.

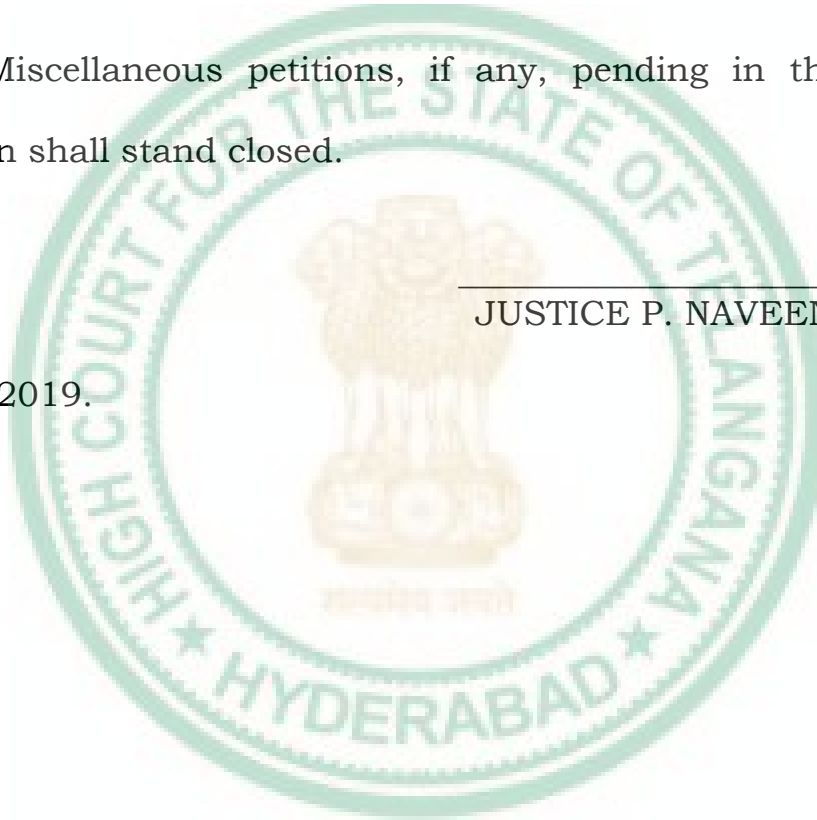
6. Therefore, the writ petition is disposed of, granting liberty to the petitioner to present the Deed of Conveyance. He also shall enclose a copy of order dt.09.09.2008 in O.S.No.346 of 2006 passed by the II Additional Senior Civil

Judge, Ranga Reddy District, and the subsequent order passed by the said Court withdrawing the suit. On due verification of the orders furnished by the petitioner and on due satisfaction of the claim, the Registering Authority shall delete the subject property from the list of Prohibited Properties. The said document shall be received, processed and the same shall be registered by the Registering Authority, if it is otherwise in order. No order as to costs.

7. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P. NAVEEN RAO

19.12.2019.
Msr



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