

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

W.P.No.26848 of 2019

ORDER:

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

2. First petitioner claims to be owner and in possession of Flat No.302, bearing H.No.6-202/302, second floor in the building known as Gurukula Enclave, Plot No.29, Sy.No.205, 206 and 207, Block No.5 situated at Dee Nagar, Near Chinthal village, Quthbullapur GHMC Circle and mandal, Medchal-Malkajgiri district. It appears, first petitioner intends to sell the above said property to second petitioner and when she approached the 3rd respondent-Sub-Registrar for registration of sale deed, the Sub-Registrar refused to register the said document. Hence this writ petition.

3. No material is placed before the Court to show that the document presented before the Sub-Registrar was refused. It appears that the petitioner has also not paid the stamp duty, therefore, it cannot be said that the Sub-Registrar has refused to receive the document.

4. In view thereof, the Writ Petition is disposed of, granting liberty to the petitioners to present the document in respect of Flat No.302, bearing H.No.6-202/302, second floor in the building known as Gurukula Enclave, Plot No.29, Sy.No.205, 206 and 207, Block No.5 situated at Dee Nagar, Near Chinthal village, Quthbullapur GHMC Circle and mandal, Medchal-Malkajgiri district by paying requisite stamp duty; as and when such

document is presented, the 3rd respondent-Sub-Registrar shall receive and process the same subject to compliance of the provisions of the Indian Registration Act, 1908 and Indian Stamp Act, 1899. It is always open to the registering authority to refuse to register/receive the document presented before him, if he has any other objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioner. This exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. Pending miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date: 5.12.2019
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