

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27182 OF 2019

Date: 09.12.2019

Between:

Kotla Sharada @ Sharadamma,
W/o.Kotla Karunakar Reddy,
Age 47 yrs, Occu : Housewife,
R/o.Wanapatla Village, Nagarkurnool Mandal,
Nagarkurnool (Old Mahaboobnagar) District,
Telangana State

.....Petitioner

And

The State of Telangana,
Rep., by its Prl. Secretary,
Stamps & Registration (Revenue) Department,
O/o.Secretariat, Hyderabad & others.

.....Respondents



The Court made the following:

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ORDER:

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

2. According to petitioner due to some financial needs, she intend to sell her agricultural land to an extent of Ac.4-05 guntas in Sy.Nos.168/A/11, 168/A/6, 168/A/9, 168/A/2, 169/A/6, 169/A/8 and 169/A/1, at Wanapatla Village, Nagarkurnool Mandal, Nagarkurnool District. When she enquired from the Sub-Registrar-3rd respondent to know about the registration charges and other formalities, petitioner was informed that he cannot accept the documents, as her brother-in-law made an application not to register the land in favour of third parties, by showing the order of injunction in I.A.No.369 of 2019 in O.S.No.131 of 2019 pending in the Court of Junior Civil Judge, Nagarkurnool.

3. According to learned counsel for the petitioner, petitioner's brother-in-law filed O.S.No.131 of 2019, concerning the land to an extent of Ac.0-13 guntas and Ac.0-30 guntas respectively in Sy.No.169/A/7 and Ac.0-09 guntas in Sy.No.168/A/10 and the same has nothing to do with the lands proposed for sale by the petitioner, mentioned above.

4. However, so far petitioner has not submitted the document for registration. Petitioner cannot assume that the Sub-Registrar, refuses to register the document, merely on the ground that injunction order was granted. Therefore liberty is granted to the petitioner to present the document by paying

requisite stamp duty and also satisfy the registering authority that the civil suit does not pertain to the property on which petitioner intends to undertake sale. Once the document is presented, the Sub-Registrar, shall process the same and pass appropriate orders, as warranted by law. If the Sub-Registrar, is not accepting the document for registration, he shall assign reasons in support of the same and communicate the same to the petitioner. The entire exercise shall be completed within a period of four weeks from the date of presentation of the document.

5. With the above observations, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

9th December, 2019

Note :

Issue c.c. in one week
B/o.
Rds