

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.29150 of 2018

ORDER:

The prayer of the petitioners in this case reads as under:

'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the refusal of Sub-Registrar, Karimnagar to register the cancellation of registered sale deeds as illegal, arbitrary and not against the principles of natural justice and consequently direct the respondent No.2 and 3 to register the Cancellation of subject documents which were registered vide Sale deeds bearing documents No.1.6910/2010 dated 18-08-2010; 2. 7593 of 2010 dated 09-09-2010; 3. 7592/2010 dated 09-09-2010; 4. 6911/2010 dated 18-08-2010; 5. 7590 of 2010 dated 09-09-2010; 6. 3356 of 2011 dated 30-03-2011 and 7. 3706/2011 dated 25-04-2011 registered before the Sub-Registrar at Karimnagar and to pass other or orders as this Hon'ble Court may deem fit, just and proper in the circumstances of the case.'

Learned Assistant Government Pleader for Revenue, State of Telangana, would inform this Court on the strength of the written instructions received from the Joint Sub-Registrar-I, R.O., Karimnagar, that the petitioners never appeared before him or presented any cancellation deed for registration. The Joint Sub-Registrar-I further stated therein that in the event such a cancellation deed is presented for registration by all the parties concerned, it would be processed in accordance with rules and registered, if found to be in order.

In the light of the aforestated statement, Sri Bhanu Murthy Bala, learned counsel for the petitioners, would state that he would advise his clients, who are the vendees under the sale deeds sought to be cancelled, to approach the registration authorities along with their respective

vendors for registration of the cancellation deeds in accordance with the due procedure.

In the event the petitioners along with their vendors present such documents, the Joint Sub-Registrar-I, R.O., Karimnagar, shall examine the said documents and if the same are found to be otherwise in order and in full compliance with the requirements of the Registration Act, 1908 and the Indian Stamp Act, 1899, the Joint Sub-Registrar-I shall complete the formalities and release the documents. If, however, he finds any grounds to refuse registration, he shall pass reasoned orders of refusal under Section 76 of the Registration Act, 1908, and communicate the same to the petitioners.

The writ petition is disposed of accordingly.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Date:27.02.2019

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JUSTICE SANJAY KUMAR