

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.45755 OF 2018

ORDER

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

‘For the reasons stated in the accompanying affidavit it is prayed that this Hon’ble court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the in-action of the respondents No 3 to 5 in not verifying the Release deed document No. 8476/2014 dated 16-12-2014 and Agreement of sale-cum-GPA(AGPA) document No.162/2016 dated 06-01-2016 and other similar documents submitted to the Registration Authorities by the 7th respondent is illegal and liable for taking Action U/Section 82 & 83 of Registration Act 1908 which is a clear case false claims and false statements in respect of land of an extent of Ac.4-32 Guntas in Sy.No.44 situated in Gandhamguda village, Peramcheruvu Grampanchayat, Rajendra Nagar Mandal, Ranga Reddy District and consequently direct to take necessary action against the Respondents 4, 5 and 7 and pass such other or orders as this Hon’ble Court may deem fit and proper in the interest of justice.’

Perusal of the record reflects that the petitioner himself did not make any representation to the authorities. Representations seem to have been made by the petitioner’s father on various dates to the authorities under the Registration Act, 1908 (*for brevity*, ‘the Act of 1908’). However, by way of these representations, the petitioner’s father also did not allege any commission of any offence warranting prosecution being initiated under the provisions of Section 83 of the Act of 1908.

Without taking steps himself to bring it to the notice of the registration authorities that any offence has been committed under the Act of 1908 warranting prosecution under Section 83 thereof, it is not

open to the petitioner to come before this Court complaining of inaction on the part of the authorities.

The writ petition is accordingly dismissed leaving it open to the petitioner to take steps independently, if warranted, by making a representation to the concerned authorities setting out the details of the alleged offence committed under the Act of 1908 warranting prosecution under Section 83 thereof.

Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

1st MARCH, 2019

Note: Issue C.C. in one week.
B/o PGS