

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.47216 of 2018

ORDER:

The grievance of the petitioner is that the Sub-Registrar, Kukatpally, Medchal-Malkajgiri District, is not furnishing her a copy of the registered Special Power of Attorney dated 18.02.2017, bearing document No.6/2017, said to have been executed by her mother, Y.Urmeela @ Urmila, in favour of her brother, Y.Shashidar Reddy.

Learned Assistant Government Pleader for Revenue, State of Telangana, appearing for the respondents, would point out that in terms of Section 57(3) of the Registration Act, 1908 (for short, 'the Act of 1908'), copies of documents entered in Book No.4 cannot be given to any person other than the party who executed the said document or who claims under it. He would further state that as the Special Power of Attorney was executed by the petitioner's mother authorising her brother to produce a gift deed for registration before the Sub-Registrar concerned, it was entered in Book No.4 and therefore, the provisions of Section 57(3) of the Act of 1908 would squarely apply. Learned Assistant Government Pleader would also place reliance on Standing Order No.990, which provides under clause (c) thereof, that the registering officer cannot grant a copy of a document entered in Book No.3 or Book No.4 to a person other than the party referred to in Section 57(2) and (3) of the Act of 1908.

In the light of this statutory scheme, it is not open to the petitioner to seek a copy of the Special Power of Attorney bearing document No.6/2017 as she is neither the executant thereof nor a claimant thereunder.

The Writ Petition is therefore devoid of merit and is accordingly dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

07th February, 2019
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JUSTICE SANJAY KUMAR