

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 2800 of 2020

ORDER:

This writ petition is filed challenging the action of 3rd respondent in not releasing the Sale Deed inspite of compliance of objection raised vide Notice No.01/RTMPT/2020, dt.06.01.2020.

The case of the petitioners is that they have purchased two acres of land in Sy.No.11/U and 20 guntas of land in Sy.No.10/Ka 2 of Goparajupally Village, Valigonda Mandal, Yadadri, Bhongir District from its GPA holder; that at the time of executing the GPA in favour of petitioners' attorney, executants of the GPA furnished the Pattedar Pass book and Title Deeds before the Sub-Registrar and after execution of GPA, original Pattedar Passbook and title deeds were handed over to the GPA holder only. The GPA holder on receipt of total sale consideration executed Sale Deed on 22.11.2019 and submitted the document for registration before the 3rd respondent, but, the same was objected stating that the GPA holder has to produce Pattedar Passbook and Title Deed, in respect of the subject land. Thereafter, they have also produced the same, but, the same were refused by the respondents stating that he needs new pattedar pass books. The respondent No.3 also issued Notice No.01/RMPT/202, dt.06.01.2020, and that the petitioners also submitted explanation to the same along with necessary documents to establish that the vendor of the petitioners is the owner and possessor of the subject land as on

the date of execution of sale deed. The petitioners also placed Circular Memo No.G3/5079/2018, dt.20.05.2019 issued by the Commissioner and Inspector General of Registration and Stamps Department Telangana, Hyderabad, which specifically directs the Sub-Registrars to insist for production of passbook for all Book-I documents except the GPA, but the respondents neither considered the same nor released the sale deed. Aggrieved by the same, present writ petition is filed.

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

Since the petitioners have already complied with the objections raised by the respondents in the notice dt.06.01.2020 and also placed reliance on the Circular Memo dt.20.05.2019, it is for the 3rd respondent to take the same into account and register and release the Sale Deed presented by the petitioner.

In view of the above, the 3rd respondent, after taking the Circular Memo dt.20.05.2019 into account, directed to register the Sale Deed presented by the petitioners in respect of the subject land, if the same is in order as per the provisions of Indian Stamps and Registration Act and the Rules made thereunder, and if the subject land is not included in the list of prohibited properties for registration as per Section 22-A of the Act and not prohibited for registration by any order/injunction passed by the Court or competent authority, and release the document. If he wants to refuse registration, he shall record reasons and communicate the same to the parties.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

11.02.2020
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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



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