

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION Nos.8364 and 8454 of 2020

COMMON ORDER:

The main grievance of the petitioner in these two writ petitions is that the third respondent - District Registrar/Appellate Authority has rejected the appeals filed by her under Section 72 of the Registration Act, 1908, to direct the Sub Registrar, Vemulawada, to register the relinquishment deeds presented by her for registration, without assigning any cogent reasons.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue. With their consent, the writ petitions are disposed of at the stage of admission.

3. The learned counsel for the petitioner submits that the third respondent-District Registrar, without appreciating the facts of the case, has rejected the appeals in a mechanical manner. He further submits that the documents, which were sought to be registered by the petitioner, were only relinquishment deeds executed by her in favour of her brother, Sanga Kuntaiah. That in order to avoid any future disputes between the parties in respect of the compensation amount, which is likely to be paid for the acquired lands, the petitioner has executed the said relinquishment deeds, and the same cannot be construed as dealing with any property of the Government. That even if the documents are registered, the same can be construed as relinquishment of her share in the award amount only and the interest of the Government is no way involved. He further submits that the petitioner will not seek any right or interest in the acquired lands and will not make any claim for compensation amount. That the impugned orders of the

District Registrar are liable to the set aside and requested this Court to remand the matter back to the appellate authority for deciding the same afresh taking into consideration the recitals in the relinquishment deeds.

4. The learned Government Pleader for Revenue has not controverted the submissions made by the learned counsel for the petitioner, and requested this Court to remand the case to the District Registrar for passing appropriate orders on merits.

5. In view of the above submissions, the impugned orders of rejection passed by the third respondent - District Registrar confirming the order of the fourth respondent are hereby set aside. The District Registrar shall decide the appeals afresh taking into consideration the above observations made by this Court and also the recitals in the documents, which are sought to be registered, and pass necessary orders as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.

The writ petitions are, accordingly, allowed. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

A.ABHISHEK REDDY, J

Date: 24.06.2020.
va/sur