

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE THIRD DAY OF SEPTEMBER

TWO THOUSAND AND TWENTY

:PRESENT:**THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY****IA No. 1 OF 2020****IN****WP NO: 14508 OF 2020****Between:**

Asiri Devavva D/o Late Sanga Lachamma @ Lachavva W/o Late Asiri Mallaiah

...Petitioner

(Petitioner in WP 14508 OF 2020
on the file of High Court)**AND**

1. The State of Telangana, represented by the Principal Secretary, Revenue (Stamps and Registration) Department, Secretariat, Hyderabad-500022(T.S.)
2. District Collector, Stamps and Registration, Rajanna Sircilla District, SIRCILLA-505 402(T.S.)
3. District Registrar / Appellate Authority, U/Sec. 72 of the Registration Act, 1908, KARIMNAGAR-505 001(T.S.)
4. Sub-Registrar, Stamps and Registration, VEMULAWADA-505 302(T.S.) Rajanna Sircilla District.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner : SRI K RAJANNA**Counsel for the Respondents: GP FOR REVENUE (TG)**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th Respondent herein to receive the Relinquishment deed document No.P.39/2019 and document No. 40/2019 by registering the same forthwith pending disposal of WP No. 14508 of 2020, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER**Heard.**

The learned counsel for the petitioner has stated that the petitioner was granted some compensation amount by virtue of Land Acquisition Award. The said award was passed by the Land Acquisition Officer for the lands of the petitioner which were acquired under the Land Acquisition notification. The petitioner, with a view to relinquish the compensation amount in favour of her brother, has presented a Relinquishment Deed before the concerned authority, but the same was refused on a wrong premise that the lands are sought to be transferred, which is not permissible as they are vested with the government and the same is not only contrary to the facts but also legally untenable.

A perusal of the order passed by both the Sub-Registrar and the Appellate Authority shows that the official respondents have totally misconstrued the recitals in the document and passed the impugned order on the wrong premise that the lands are sought to be registered. A reading of the relinquishment deed presented by the petitioner reveals

that it is only the compensation amount, which is sought to be relinquished by the petitioner in favour of her brother. The official respondents cannot have any grievance or objection if the compensation amount awarded to the petitioner is relinquished in favour of her brother or for that matter any other person also.

This Court is of the *prima facie* opinion that the reasons given by the official respondents for refusal are totally unwarranted and legally untenable and the same are hereby set aside.

In view of the above, there shall be an interim direction to the respondent No.4 to process, register and release the pending document Nos.39/2019 and 40/2019, subject to the petitioner complying with the provisions of the Indian Registration Act, 1908, and Indian Stamps Act, 1899. However, any such registration shall be treated as a provisional one and subject to the result of the writ petition. The petitioner shall not claim equities in case any adverse orders are passed against her.

SD/- M MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Stamps and Registration) Department, State of Telangana, Secretariat, Hyderabad-500022(T.S.)
2. The District Collector, Stamps and Registration, Rajanna Sircilla District, SIRCILLA-505 402(T.S.)
3. The District Registrar / Appellate Authority, U/Sec. 72 of the Registration Act, 1908, KARIMNAGAR-505 001(T.S.)
4. The Sub-Registrar, Stamps and Registration, VEMULAWADA-505 302(T.S.) Rajanna Sircilla District. (1 to 4 By RPAD)
5. One CC to Sri K Rajanna Advocate [OPUC]
6. Two CCs to the GP for Revenue, High Court at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

AARJ

DATED:03/09/2020

ORDER

**IA No. 1 OF 2020
IN
WP NO: 14508 OF 2020**

INTERIM DIRECTION

