

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.10127 of 2021

Date:20.04.2021

Between:

Mrs. Kondamadugula Sushma
W/o.Rajneesh Reddy, Aged about 33 yrs,
Occu : Service, R/o.16-2-321 & 321A,
Flat No.501, Sree Sai Towers,
S.S.Colony, Hyder Nagar,
Hyderabad 500 085

.....Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Stamps and Registration Department,
Secretariat, Hyderabad & others

.....Respondents

The Court made the following:

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ORDER :

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

2. Petitioner claims that she is the tenant of Flat No.501, Sri Sai Towers, H.No.16-2-321 & 321A, Plot Nos.162 to 167 in Sy.No.145/3, Satyanarayana Swamy Colony, Hyder Nagar, Kukatpally, Medchal-Malkajgiri District and she entered into agreement of sale to purchase the said flat with her vendor and also paid 50% of the sale amount. When petitioner presented the document in respect of the said property, the Joint Sub-Registrar-3rd respondent refused to receive the document without assigning any reasons. Hence, this writ petition.

3. Learned counsel for the petitioner submits that on earlier occasion, this Court in W.P.No.43051 of 2017 and batch dt.01.02.2018 has passed orders directing the registering authority to receive and process the deeds of conveyance without reference to the Gazette Notification dated 26.09.2013, but in accordance with the Indian Registration Act, 1908 and Indian Stamp Act, 1899 and it is also left open to the registering authorities to refuse to register the deeds presented before him, if he has any other objection by duly assigning reasons in support of such decision.

4. Having regard to the earlier orders of this Court in W.P.No.43051 of 2017 and batch, dt.01.02.2018, concerning the same survey number, the petitioner is permitted to present the document for registration. The Joint Sub-Registrar is directed to

receive and process the subject document without reference to the Gazette Notification dated 26.09.2013 subject to petitioner complying with the provisions of Indian Registration Act, 1908 and Indian Stamp Act, 1899. If the document is otherwise in order, the Joint Sub-Registrar shall register and release the same. However, if the Joint Sub-Registrar is not accepting the document for registration, he shall pass orders assigning reasons in support of his decision and communicate the same to the petitioner.

5. With the above observations, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

20th April, 2021
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