

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No. 31129 of 2021

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents. With their consent, this Writ Petition is disposed of at the stage of admission.

Aggrieved by the action of the Registering Authorities in refusing to receive, register and release the sale deed presented by the petitioners for registration in respect of the subject property situated at Mailardevpally Village, Rajendernagar Municipality and Mandal, Ranga Reddy District, the petitioners filed the present Writ Petition.

The learned Government Pleader has stated that the official respondents will follow the procedure contemplated under Section 71 of the Registration Act, 1908 (for short, 'the Act').

Section 71 of the Act reads as follows:

Reasons for refusal to register to be recorded.—

- (1) Every Sub-Registrar refusing to register a document, except on the ground that the property to which it relates is not situated within his sub-district shall make an order of refusal and recorded his reasons for such order in his Book No.2, and endorse the words "registration refused" on the document; and, on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded.

- (2) No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered.

In view of the above made submission coupled with the provision under Section 71 of the Act, this Writ Petition is disposed of directing the Registering Authority to receive and process the subject document, subject to the petitioners complying with the provisions of the Act and Indian Stamp Act, 1899. It will be open to the Registering Authority to refuse/receive the documents presented before him, if he has any objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioners.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

A. ABHISHEK REDDY, J

30th NOVEMBER, 2021.

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