

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No.21047 of 2022

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents. With their consent, this writ petition is disposed of at the threshold.

2. The main grievance of the petitioner is that the respondent No.3 is refusing to receive, register and release the documents presented by the petitioner in respect of the subject property pertaining to Plots in Survey No.471/AA of Ankapur Village, Armoor Mandal, Nizamabad District in an extent of Ac.2.08 Gts.

3. The learned Government Pleader for Revenue submitted that the official respondents will follow the procedure contemplated under Section 71 of the Registration Act, 1908.

4. Section 71 of the Registration Act, 1908 (for short 'the Act') reads as follows:

“71. 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 situate within his sub-district, shall make an order of refusal and record 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.”

5. In view of the above submissions made by both the parties coupled with the provision of Section 71 of the Registration Act, 1908, this writ petition is disposed of directing the Registering Authority to receive and process the subject document(s), presented by the petitioner, subject to the petitioner complying with the provisions of the Indian Registration Act, 1908, and Indian Stamps Act, 1899. It is also open to the Registering Authority to refuse/receive the document(s) presented before him, if he has any other objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioner(s). It is made clear that mere registration of document(s) does not confer title to the property.

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

Miscellaneous applications, if any pending, shall stand closed.

JUSTICE N.V.SHRAVAN KUMAR

Date: 26.04.2022
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