

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.37394 of 2022

ORDER:

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

Aggrieved by the action of the respondents in not receiving/registering the documents presented in respect of the subject property situated at Markandeya Colony Internal Road, Jangaon Village, Ramagundam Mandal, Peddapalli District, the present Writ Petition is filed.

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 submission made by the learned Government Pleader coupled with the provision of Section 71 of the Act, the Writ Petition is disposed of directing the Registering Authority to receive, process and register the subject document, subject to compliance of the provisions of the Act and Indian Stamp Act, 1899. It will be open to the Registering Authority to refuse to register the document presented before him, if he has any objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioner.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.ABHISHEK REDDY, J

Date : 28.09.2022
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