



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

IA No. 1 OF 2022

IN

WP NO: 3308 OF 2022

Between:

**S. Suseela, W/o S. Prabhakar, aged 59 years, r/o D.No.7-98, Padmavathipuram,
Tiruchanoor Road, Tirupatu Rural Mandal, Chittoor District.**

...Petitioner

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Revenue (Stamps & Registration) Department, A.P.Secretariat, Velagapudi, Amaravati, Guntur District, Andhra Pradesh - 522 238
2. The Commissioner of Endowments, A.P. Endowments Department, D.No- 22-19, Floor II, Block A, Jasthi Towers, Sai Puram Colony Road, Gollapudi, Vijayawada -521225.
3. The District Registrar, Sri Balaji Registration District, Tirupati, Chittoor District.
4. The Joint Sub-Registrar, O/o.The Sub Registrar, Renigunta, Renigunta, Tirupati, Chittoor District.
5. Sri Swamy Hathiramji Mutt, Represented by its Mahant, Having office at Gandhi Road, Tirupati, Chittoor District.

...Respondent(s)

Counsel for the Petitioner: SMT S. PRANATHI

**Counsel for the Respondent Nos.1, 3 and 4: GP FOR STAMPS AND
REGISTRATION**

Counsel for the Respondent Nos.2: GP FOR ENDOWMENTS

Petition filed under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the Writ petition, the High Court may be pleased to direct the 4th respondent to receive, register and release the sale deed dated 01.10.2021, executed for transfer of a land in an extent of 266.66 Sq.yds. in Sy.No.229/1 of Tiruchanoor Village, Tirupati Rural Mandal, Chittoor District, along with the RCC house in an extent of 960 Sq.ft constructed therein, without reference to the proceedings of the 2nd respondent in Letter No.M1/9580/2016 dated 05.07.2016, Pending disposal of WP No. 3308 of 2022, 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:

**This petition is filed seeking a direction to respondent No.4 to
receive, register and release the sale deed dated 01.10.2021
executed for transfer of a land in an extent of 266.66 square yards in
Sy.No.229/1 of Tiruchanoor Village, Tirupati Rural Mandal, Chittoor,**

District along with the RCC house in an extent of 960 square feet constructed therein, without reference to the proceedings of the 2nd respondent in Lr.RC.No.M1/9580/ 2016, dated 05.07.2016 pending disposal of the writ petition.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Stamps and Registration.

The Apex Court in *Siri Nivasam Mutual Aided House Building Society Ltd and others v. State of Andhra Pradesh and others* (Special Leave Petition (C) NO. 15009 OF 2016 dated 19.04.2018), held as follows:

"It is ordered that the registration already permitted by this Court shall be treated as a provisional registration subject to the result of the writ petitions now pending before the High Court. We make it clear that merely because a provisional registration has been permitted, the parties shall not claim any additional equity. We further make it clear that without express permission from the High Court, there shall be no further transfer. In order to avoid further difficulty to the similarly situated people, we make it clear that it will be open to them to approach the High Court and seek appropriate and similar interim orders regarding transfers during the pendency of the writ petitions."

Direction issued by the Hon'ble Supreme Court is binding on the Courts and also officials in the State. Therefore, in view of the direction issued by the Apex Court, the petitioner approached this Court to seek same relief.

Hence, respondent No.4 is directed to receive and register the document provisionally, submitted by the petitioner and release the same. Such registration shall be treated as provisional registration, subject to result of the present writ petition. As provisional registration is permitted by this Court, the parties shall not claim

additional equity, while making it clear without express permission from the High Court, there shall be no further transfer.

Post after four (4) weeks.

SD/-U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Department of Revenue (Stamps & Registration) Department, A.P.Secretariat, Velagapudi, Amaravati, Guntur District, Andhra Pradesh - 522 238
2. The Commissioner of Endowments, A.P. Endowments Department, D.No- 22-19, Floor II, Block A, Jasthi Towers, Sai Puram Colony Road, Gollapudi, Vijayawada -521225.
3. The District Registrar, Sri Balaji Registration District, Tirupati, Chittoor District.
4. The Joint Sub-Registrar, O/o.The Sub Registrar, Renigunta, Renigunta, Tirupati, Chittoor District.
5. Sri Swamy Hathiramji Mutt, Represented by its Mahant, Having office at Gandhi Road, Tirupati, Chittoor District. (Addresses 1 to 5 By RPAD)
6. One CC to Smt. S. Pranathi, Advocate [OPUC]
7. Two CCs to GP FOR REGISTRATION AND STAMPS (AP) ,High Court Of Andhra Pradesh. [OUT]
8. Two CCs to GP for ENDOWNMENTS, High Court of Andhra Pradesh [OUT]
9. One spare copy

Note: Sy.No.299/1 is corrected as "Sy.No.229/1" as per court order dated 17.10.2022 in IA No.2 of 2022. Substitute this amended as in place of earlier order, which was dispatched on 23.06.2022.

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

HIGH COURT

DR,J

**DATED: 20/06/2022
17.10.2022**

NOTE: POST AFTER FOUR (04) WEEKS.

**ORDER
AMENDED**

**IA No. 1 OF 2022
IN
WP NO: 3308 OF 2022**

DIRECTION

