

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO.495 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following reliefs:-

"...to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the 4th respondent in not receiving and processing the sale deed relating to the agricultural land situated in Sy No 1021A an extent of Ac 0 67 cents of Palasamudram Village of Gorantla Mandal Anantapur District as illegal arbitrary and in violation of Principles of Natural justice and in violation of Art 14 and 21 of the Constitution of India and consequently direct the 4111 respondent to receive and process the sale deed relating to the agricultural land ..."

2. The case of the petitioner in precise is that the agricultural land to an extent of Ac.0.67 cents in Survey No.102-1A situated in Palasamudram Village, Gorantla Mandal, Anantapur District is a patta land of petitioner's family. Considering the petitioner's request, the Government issued pattadar passbook and title deed. Due to his family necessities, he intended to sell the subject property and accordingly, an agreement of sale was entered with the third parties. In pursuance to the agreement, the petitioner along with the purchaser approached 4th respondent and presented the sale deed for necessary process to complete the transaction on 19.11.2015 but the 4th respondent refused to receive the document without there being any valid reasons and no notification under Section 22-A of the Stamps and Registration Act prohibiting the 4th respondent from entertaining the document. Hence, this writ petition.

3. Heard, Sri V.Veera Raghavaiah, learned counsel for the petitioner and learned Assistant Government Pleader for Revenue-cum-Stamps and Registration appearing for the respondents.

4. Though the petitioner made several allegations against the respondents, during hearing, learned counsel for the petitioner requested this Court, without touching the merits of the case, to issue a direction to the respondents to receive and register the document submitted by the petitioner.

5. Learned Government Pleader for Revenue-cum-Stamps and Registration readily agreed to receive and process the document of the petitioner, in accordance with law, if not registered.

6. In view of the concession given by the learned Government Pleader for Revenue-cum-Stamps and Registration, 4th respondent is hereby directed to receive and process the document submitted by the petitioner, in accordance with law. If the document cannot be registered, the Sub-Registrar may pass appropriate order as mandated under Section 71 of the Registration Act, so as to enable the petitioner to approach appellate authority under Section 72 of the Registration Act.

7. With the above direction, the Writ Petition is disposed of. No costs.

As a sequel miscellaneous application, pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date: 22.07.2021
SPP

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO.495 of 2016

Date: 22.07.2021

SPP