

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE SIXTEENTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH



IA No. 1 OF 2022

IN

WP NO: 29876 OF 2022

Between:

M Krishnaiah, S/o, M.Naguraiah, Aged 54 years, R/o. Jangampalli Village, K.V Palli Mandal, Chittoor District.

...Petitioner

AND

1. The Stae of AP, rep by its Principal Secretary, Department of Revnue (Stamps & Registration) A.P. Secretarait, Velagapudi, Amaravati, Guntur District.
2. The Commissioner of Endoments, H.R and CE Department, Gollapudi, Vijayawada, NTR District.
3. The District Registrar, Stamps and registration, Sri balaji registration district, Tirupati, Tirupari District
4. The Sub- Registrar, Renigunta, Sri Balaji Registration District, Tirupathi District.
5. Sri Swamy Hathiramji Mutt, Tirupathi, Rep by His Holiness Mahanthy.

...Respondents

Counsel for the Petitioner

:Sri U RAMANJANEYULU

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

Counsel for the Respondent No.2

:GP FOR ENDOWMENTS

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.4 to receive, Register and release the sale deed dated 18.02.2005 which assigned pending document P.No.5/2005 for land an extent of 400 Sq.Yard in Plot.No.328 in Paimaish No.10 correlated to Sy. No. 242, patta no.130, Ward no.13, Srinivasapuram residential area, Tiruchanur Village, Tirupati Rural Mandal, Tirupathi District, pending disposal of WP No.29876 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

"Heard both sides.

This application is filed to direct the 4th respondent to receive, register and release the sale deed dated 18.02.2005 which assigned pending document P.No.5/2005 for the land to an extent of 400 square yards in Plot No. 328, Paimaish No.10 correlated to Survey No.242, Patta No.130, Ward No.13, Srinivasapuram residential area, Tiruchanur Village, Tirupati Rural Mandal, Tirupati District.

Basing on the judgment of the Apex. Court in Siri Nivasam Mutual Aided House Building Society Ltd and others vs. State of Andhra Pradesh and others (Special Leave Petition (C) No.15009 of 2016, dated 19.04.2018), the Apex Court 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 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".

Taking advantage of the last sentence of the direction issued by the Apex Court, Sri U. Ramanjaneyulu, learned counsel appearing for the petitioner, requests to issue a similar direction.

A direction issued by the Hon'ble Supreme Court is binding on the Court and also officials in the State. The Hon'ble Supreme Court directed that similarly situated persons can approach this Court and obtain a similar order. Therefore, in view of the direction issued by the Apex Court, the petitioner approached this Court to seek same relief.

Hence, the 4th respondent 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 that

without express permission from the High Court, there shall not be no further transfer.

Accordingly, an interim direction is issued as claimed by the petitioner."

SD/- B.PRASAD RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Department of Revenue (Stamps & Registration) A.P. Secretariat, Velagapudi, Amaravati, Guntur District, State of AP.
2. The Commissioner of Endowments, H.R and CE Department, Gollapudi, Vijayawada, NTR District.
3. The District Registrar, Stamps and registration, Sri Balaji registration district, Tirupati, Tirupari District
4. The Sub- Registrar, Renigunta, Sri Balaji Registration District, Tirupathi District.
5. The Holiness Mahanthi, Sri Swamy Hathiramji Mutt, Tirupathi (No's 1 to 5 By RPAD)
6. One CC to Sri. U Ramanjaneyulu Advocate [OPUC]
7. Two CCs to GP for Registration and Stamps, High Court Of Andhra Pradesh. [OUT]
8. Two CCs to GP for Endowments, High Court Of Andhra Pradesh. [OUT]
9. One spare copy

KPR

HIGH COURT

DRJ

DATED:16/09/2022

NOTE: LIST THE MATTER AFTER FOUR WEEKS

ORDER

**IA No. 1 OF 2022
IN
WP NO: 29876 OF 2022**

INTERIM DIRECTION

