

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 29876 OF 2024

Between:

1. Shaik Gousia, W/o Late Abdul Majeed, Age 44 years, Resident of 9-52, Masjid E Kousar, Veera Venkateswarapuram, Donakonda, Prakasam District.
2. Shaik Abdulla Saad, S/o Late Abdul Majeed, Age 24 years. Resident of 9-52, Masjid E Kousar, Veera Venkateswarapuram, Donakonda, Prakasam District.
3. Shaik Abdur Rahmaan, S/o Late Abdul Majeed, Age 23 years. Resident of 9-52, Masjid E Kousar, Veera Venkateswarapuram, Donakonda, Prakasam District.

...PETITIONER

AND

1. The State Of Andhra Pradesh, rep. by its Secretary, Stamps and Registration Department, Secretariat Buildings Velagapudi, Guntur District.
2. The Commissioner and Inspector General of Registration and Stamps, Government of Andhra Pradesh, Registration Bhavan, Gollapudi, Vijayawada, NTR District.
3. The District Registrar, Prakasam District, Vijayawada.
4. The Sub Registrar, Darsi, Prakasam District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order, Direction declaring the proceedings of the 2th Respondent in Draft Memo No. G2/19134/2011 dated 01- 12-2011 as illegal, without jurisdiction, and unconstitutional, and consequently direct the 4th Respondent to receive and register the document that may be presented by the petitioners for registration in respect of the site to an extent of 37 Sq. yards, Ground and 1st Floor RCC building, situated at Survey No. 209/1, Donakonda Village Panchayat, Prakasam District, without reference to the memo of the 2nd Respondent bearing No. G2/19134/2011 dated 01-12-2011.

IA NO: 1 OF 2024

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 4th respondent to receive and register the document that may be presented by the petitioners for registration in respect of the site to an extent of 37 Sq. yards, Ground and 1st Floor RCC building, situated at Survey No. 209/1, Donakonda Village Panchayat, Prakasam District, without reference to the memo of the 2nd respondent bearing No. G2/19134/2011 dt.01-12-2011; pending disposal of the Writ petition before this Hon'ble Court.

Counsel for the Petitioner(s): SRI. M V V R SATYANARAYANA

Counsel for the Respondent Nos.1 to 4: GP FOR REGISTRATION AND STAMPS

The Court made the following: ORDER



**IN THE HIGH COURT OF
ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction) [3328]**



**WEDNESDAY, THE EIGHTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

**PRESENT
THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 29876/2024

Between:

1. SHAIK GOUSIA, W/O LATE ABDUL MAJEED, AGE 44 YEARS, RESIDENT OF 9-52, MASJID E KOUSAR, VEERA VENKATESWARAPURAM, DONAKONDA, PRAKASAM DISTRICT.
2. SHAIK ABDULLA SAAD,, S/O LATE ABDUL MAJEED, AGE 24 YEARS. RESIDENT OF 9-52, MASJID E KOUSAR, VEERA VENKATESWARAPURAM, DONAKONDA, PRAKASAM DISTRICT.
3. SHAIK ABDUR RAHMAAN,, S/O LATE ABDUL MAJEED, AGE 23 YEARS. RESIDENT OF 9-52, MASJID E KOUSAR, VEERA VENKATESWARAPURAM, DONAKONDA, PRAKASAM DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF AP, REP. BY ITS SECRETARY, STAMPS AND REGISTRATION DEPARTMENT, SECRETARIAT BUILDINGS VELAGAPUDI, GUNTUR DISTRICT.
2. THE COMMISSIONER AND INSPECTOR GENERAL OF REGISTRATION AND STAMPS, GOVERNMENT OF ANDHRA PRADESH, REGISTRATION BHAVAN, GOLLAPUDI, VIJAYAWADA, NTR DISTRICT.
3. THE DISTRICT REGISTRAR, PRAKASAM DISTRICT, VIJAYAWADA.
4. THE SUB REGISTRAR, DARSI, PRAKASAM DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1.M V V R SATYANARAYANA

Counsel for the Respondent(S):

1.GP FOR REGISTRATION AND STAMPS

The Court made the following:

ORAL ORDER:

Heard Sri Banka Nageswara Rao, Ld. Counsel appearing on behalf of Sri M.V.V.R.Satyanarayana, Ld. Counsel for the Petitioners and Sri K. Arjun Chowdary, learned Assistant Government Pleader for Revenue and Land Acquisition, Stamps & Registration.

2. The Ld. Counsel appearing on behalf of Writ Petitioners has drawn the attention of this Court to an Order passed by this Court in W.P.No.16168 of 2023, dated 06.07.2023 and Order in W.P.No.41957 of 2022, dated 28.12.2022 and Order in W.P.No.30083 of 2022, dated 16.09.2022. The said Orders relate to the challenge of a Draft Memo issued by the Commissioner & Inspector General of Registration and Stamps A.P., Hyderabad bearing Draft Memo No.G2/19134/2011, dated 01.12.2011 (Ex.P6).

3. The above mentioned Orders would indicate that this Court had directed the Respondent Authorities to receive and process the document for registration that could be presented by the Writ Petitioners and that if the same is otherwise in accordance with law and the Writ Petitioners complies with the Provisions of the Registration Act and the Stamps Act, the same shall be processed. It is also indicated that the Government Pleader is

directed to circulate the Order to ensure that the Draft Memo No.G2/19134/2011, dated 01.12.2011 shall not be the basis for any future rejections.

4. Having regard to these facts, this Court deems it appropriate to disposed of this Writ Petition with a direction to the Respondent No.4 to receive and process the document for registration that may be presented by the Writ Petitioners. If the same is otherwise in accordance with law and the Writ Petitioners complies with the Provisions of the Registration Act and the Stamps Act.

5. With the above observations and directions, the Writ Petition is disposed of. No order as to costs.

6. Interlocutory Applications, if any, stand closed in terms of this order.

Sd/- K J RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Secretary, Stamps and Registration Department, State of Andhra Pradesh, Secretariat Buildings Velagapudi, Guntur District.
2. The Commissioner and Inspector General of Registration and Stamps, Government of Andhra Pradesh, Registration Bhavan, Gollapudi, Vijayawada, NTR District.
3. The District Registrar, Prakasam District, Vijayawada.
4. The Sub Registrar, Darsi, Prakasam District.
5. One CC to Sri M V V R Satyanarayana, Advocate [OPUC]
6. Two CCs to GP for Registration and Stamps, High Court of Andhra Pradesh [OUT]
7. Three CD Copies

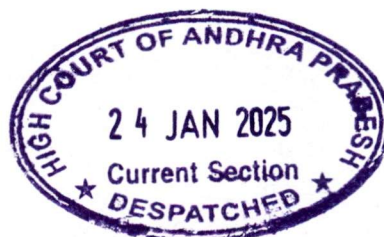
AL

HIGH COURT

DATED:18/12/2024

ORDER

WP.No.29876 of 2024



DISPOSING OF THE WP WITHOUT COSTS