

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

THE HON'BLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION No.19912 of 2023

Between:

M/s.SSNR Projects Private Limited,
Rep.by its Power of Attorney Holder,
Kotikalapudi Sreenivasa Rao. Petitioner

And

The State of Andhra Pradesh,
Rep.by its Principal Secretary,
Revenue Department, Secretariat,
Velagapudi, Amaravati, Guntur and Others. Respondents

Counsel for the Petitioner : Ms.Pulipati Radhika

Counsel for the respondents : G.P. for Stamps & Registration

ORDER:

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

2. The grievance of the petitioner in the Writ Petition is that the respondents 3 and 4 are refusing to receive and register the Sale Deed dated 30.06.2016 in respect of the land admeasuring an extent of Ac.636.427 sq.yds., situated in T.S.No.1197/7 of new classification (Survey No.1197 part as per the old classification), Block No.57 of Waltair Ward of Maharanipeta Mandal, Visakhapatnam District, and the same is illegal, arbitrary

and in violative of Articles 14 and 300-A of the Constitution of India as also contrary to the provisions of the Registration Act, 1908(for short 'the Act') apart from the directions issued by the 2nd respondent *vide* Proceedings dated 16.11.2022 and seeks a direction to the respondents to receive and release the Sale Deed dated 30.06.2016 in respect of the subject matter property.

3. The learned counsel for the petitioner while making submissions, drawn the attention of this Court to the orders passed by the Hon'ble Division Bench of the erstwhile Common High Court for the State of Telangana and for the State of Andhra Pradesh in W.A.No.1863 of 2017 and W.P.No.27061 of 2016 dated 06.12.2017. She submits that despite the orders of the Hon'ble Division Bench, more particularly in Para No.4, the 3rd and 4th respondents are not receiving the documents submitted by the petitioner and register the same. She submits that in fact, the concerned Town Surveyor had issued an Endorsement in respect of the subject matter property certifying that the land in question is a private land. The learned counsel states that in similar circumstances, directions were issued to the registration authorities to receive and release the documents, when the same

are presented. Making the said submissions, the learned counsel seeks appropriate directions in this regard.

4. The learned Assistant Government Pleader for Revenue, on the other hand submits that the petitioner had straightway filed the present Writ Petition, without approaching the 4th respondent and he needs to secure instructions in the matter for filing counter-affidavit.

5. However, this Court considering the submissions made and perusing the material on record including the orders passed by the Hon'ble Division Bench, on which reliance is placed, wherein directions were issued on considering the facts and circumstances of the case therein, this Court is inclined to dispose of the Writ Petition with a direction to the 3rd and 4th respondents to receive, process and release the document/(s), as and when they are presented by the petitioners, as per the provisions of Section 71 of the Act.

6. With the above direction, the Writ Petition is disposed of. No order as to costs.

As a sequel, all the pending miscellaneous applications shall stand closed.

NINALA JAYASURYA, J.

HONOURABLE SRI JUSTICE NINALA JAYASURYA

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Date: 08.08.2023

BLV