



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

[3208]

**TUESDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 26782/2025

Between:

1.KIMIDI VENKATA SURYA RAMA MALIK, KIMIDI VENKATA
SURYA RAMA MALLIK, S/O K. KALAVENKATA RAO, AGED
ABOUT 40 YEARS,R/O DOOR.NO.5-5-49,
RAMNAGAR.SRIKAKULAM ROAD, RAJAM,VIZIANAGARAM -
532127

...PETITIONER

AND

1.STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY TO GOVERNMENT, REVENUE(REGISTRATION
AND STAMPS) DEPARTMENT, SECRETARIAT, VELAGAPUDI,
AMARAVATI.

2.THE DISTRICT REGISTRAR, REGISTRATION AND STAMPS,
VISAKHAPATNAM.

3.THE JOINT SUBREGISTRAR, SUB REGISTRAR OFFICE,
MADHURAWADA VISAKHAPATNAM.

4.GREATER VISAKHAPATNAM MUNICIPAL CORPORATION,
REP BY ITS COMMISSIONER, VISAKHAPATNAM.

5.POTHINA PRADEEP, S/O VENKATA APPA RAO, AGED
ABOUT 38 YEARS, R/O DOOR NO.10-15-5, NEAR
BANGARAMMA TEMPLE, PITHANI DIBBA, MAHARANIPETA,
VISAKHAPATNAM- 530002.

...RESPONDENT(S):

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 an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the intimation in Endt.No.P.56/2025/MDW dated 10.09.2025 of the 3rd Respondent in refusing to register the mortgage deed dated 08.09.2025 executed between the Petitioner and the 4th Respondent Corporation asperse illegal, manifestly arbitrary, unjust and violative of principles of natural justice and violative of Articles 14,21 and 300A of the Constitution of India and consequently direct the 3rd Respondent to register and release the pending mortgage deed vide P.No.56 of 2025 in respect of property of the Petitioner bearing Plot Nos.35 and 36 situated in Sakina Hill View, Sy No.365/1 of Madhurawada Village and Mandal, Visakhapatnam forthwith

IA NO: 1 OF 2025

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 3rd Respondent to register and release the pending mortgage deed vide P.No.56 of 2025 in respect of property of the Petitioner bearing Plot Nos.35 and 36 situated in Sakina Hill View, Sy No.365/1 of Madhurawada Village and Mandal, Visakhapatnam forthwith

IA NO: 2 OF 2025

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 3rd Respondent to register and release the pending mortgage deed vide P.No.56 of 2025 in respect of property of the Petitioner bearing Plot Nos.35 and 36 situated in Sakina Hill View, Sy No.365/1 of Madhurawada Village and Mandal, Visakhapatnam forthwith subject to the outcome of the main Writ Petition and pass

Counsel for the Petitioner:

1.P RAJKUMAR

Counsel for the Respondent(S):

1.GP FOR REGISTRATION AND STAMPS

The Court made the following:

ORDER:

The present Writ Petition is filed, under Article 226 of the Constitution of India, seeking the following relief:

“to issue any writ, order or direction more particularly one in the nature of Writ of Mandamus or an appropriate writ or order declaring the intimation in Endt.No.P.56/2025/MDW dated 10.09.2025 of the 3rd Respondent in refusing to register the mortgage deed dated 08.09.2025 executed between the Petitioner and the 4th Respondent Corporation asperse illegal, manifestly arbitrary, unjust and violative of principles of natural justice and violative of Articles 14,21 and 300A of the Constitution of India and consequently direct the 3rd Respondent to register and release the pending mortgage deed vide P.No.56 of 2025 in respect of property of the Petitioner bearing Plot Nos.35 and 36 situated in Sakina Hill View, Sy.No.365/1 of Madhurawada Village and Mandal, Visakhapatnam forthwith and to pass....”

2. Heard Sri P.Rajkumar, learned counsel for the petitioner and learned Assistant Government Pleader appearing for respondents.

3. Learned counsel for the petitioner has placed various orders passed by the competent civil Court i.e. learned Principal Junior Civil Judge, Bheemunipatnam as well as learned VII Additional District Judge, Visakhapatnam. In fact learned VII Additional District Judge, Visakhapatnam has passed an order rejecting the claim of respondent no.5 in I.A.No.264 of 2017 in O.S.No.110 of 2017 by a common order dated 23.02.2018. The same is suppressed by respondent no.5 and he has only placed the orders passed by the learned Junior Civil Judge, Bheemunipatnam with regard to status-quo.

4. Learned Assistant Government Pleader appearing for respondents submitted that the Court may pass appropriate orders.

5. In view of the same, as there are civil Court orders, this Court is not inclined to go into the same. Liberty is given to the petitioner to approach respondent no.3 by filing an appeal under Section 74 of the Indian Stamp Act with all relevant orders within a period of two (2) weeks from the date of receipt of a copy of this order. If any such appeal is filed, respondent no.3 is directed to consider the entire material and pass appropriate orders within a period of three (03) weeks thereafter.

6. Accordingly, the Writ Petition is disposed of. No costs.

As a sequel thereto, interlocutory applications pending, if any, in the writ petition, shall also stand closed.

JUSTICE D.RAMESH

11.11.2025
RD

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION NO.26782 OF 2025

11.11.2025

RD