

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.861 of 2018

ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for the respondents.

The petitioners state that they are the absolute owners and possessors of the land admeasuring 1800 sq.yards in Sy.No.129/68 situated at rear side of Road No.12, Banjarahills, Shaikpet, Hyderabad, having acquired the same by virtue of succession from their father, who purchased the same from Mohd. Ghousuddin under registered Sale Deed dt. 27.03.1963. The petitioners want to sell away the subject land to third parties. When the petitioners approached respondent No.3 for registration, he refused to receive the document submitted by the petitioners without assigning any reason. Challenging the same, they filed the present Writ Petition.

It is needless to observe that when a properly drafted document is presented for registration complying with all formalities, respondent No.3/The Joint Sub Registrar-I, Stamps and Registration, Department, has no alternative except to receive the said document and he cannot refuse to receive the document.

In the circumstances, the writ petition is disposed of directing the respondent No.3 to receive the document, if any, presented by the petitioners and take action in accordance with the provisions of the Registration Act. If respondent No.3 cannot register the said document for any reason, he has to make an endorsement to that effect and pass an order in accordance with Section 71 of the Registration Act.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

Dt.05.02.2018
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A.RAMALINGESWARA RAO, J

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