

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.1011 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader.

The petitioner states that the petitioner and the nine others are the absolute owners and possessors of land admeasuring Acs.19.29 guntas in Survey No.135 situated at Vattinagulapally Village, Rajendranagar Mandal (old), presently Gandipet Mandal, Ranga Reddy District, having acquired the same from his father and other lawful owners. His father purchased the same from its lawful owners under a registered sale deed, dated 30.08.2005. His father during his life gifted a portion of land admeasuring Acs.2.06 guntas to vendor Nos.8, 9 and 10 to an extent of Acs.0.21 1/2 guntas each share towards eastern side, out of total extent of Acs.19.29 guntas, by virtue of oral Hiba dated 14.10.2006 and delivered the vacant and peaceful possession of the gifted property and later the same was written in the shape of gift settlement deed and the same was registered on 16.01.2014 to avoid future complications. The other legal representatives of his father also agreed to sell the remaining extent of land admeasuring Acs.17.23 guntas to the petitioner and others, and as such clubbed both the properties collectively admeasuring Acs.19.29 guntas in Vattinagulapally Village, Rajendranagar Mandal (old), presently Gandipet Mandal, Ranga Reddy District. The petitioner and nine others approached the respondents 3 and 4 for registration of the subject land and when the respondents 3 and 4 refused to register the same on the ground that the subject land is the Government land, the present writ petition is

filed seeking a direction to the respondents 3 and 4 to register the sale deed presented by the petitioner and others.

It is needless to observe that when a properly drafted document is presented for registration complying with all formalities, the respondents 3 and 4 have 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 respondents 3 and 4 to receive the document, if any, presented by the petitioner and take action in accordance with the provisions of the Registration Act. If the respondents 3 and 4 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.

A.RAMALINGESWARA RAO, J

21.02.2018
pln