

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.894 of 2018

Order:

This Writ Petition is filed challenging the action of the third respondent in refusing to receive, register and release the documents presented by the petitioners for registration of Flat No.102, Lakshmi Nivas, Sardar patel nagar, Hydernagar, Kukatpally, Hyderabad.

The case of the petitioners is that one Bandari Raghavaloo and 25 others were the owners of 90 Acres of land in Survey No.145 of Hydernagar village, Rajendranagar Taluq, Ranga Reddy District. They executed a registered sale deed dated 26.06.1980 in favour of Ashok Narayan Kuprikar for an extent of 377 sq. yards. The said Ashok Narayan Kuprikar sold the said land to Kadiyala Vamsi Krishna and Tummala Sree Krishna Tulasi on 21.01.1998, who in turn sold the same to one K.V. Prasad under a registered sale deed dated 15.03.2001. He then sold the plot to K. Narasimha Goud by a registered sale deed dated 14.11.2007. The said K. Narasimha Goud after obtaining regularization proceedings and building permission from the GHMC constructed the apartment consisting of Ground + Five Floors and sold Flat No.102 to Lakshmi Kanth Gujjarlapudi under a registered sale deed dated 08.11.2010, who in turn sold the said Flat to one Rama Tulasi Bolla by a registered sale deed dated 22.03.2013. The petitioners entered into an agreement with the said Rama Tulasi Bolla for purchase of the said Flat and when the third respondent refused to receive the document for registration of the said property without assigning any reasons, 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, the third respondent 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 third respondent to receive the document, if any, presented by the petitioners and take action in accordance with the provisions of the Registration Act. If the third respondent 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.

Date: 23.01.2018
Nsr

A. RAMALINGESWARA RAO, J

