

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3056 OF 2018

ORDER:

Heard learned counsel for the petitioner, and the learned Government Pleader for Revenue appearing for respondents 1 and 2.

2. The petitioner states that respondent No.3 is the absolute owner and possessor of agricultural lands situated in Survey Nos.90/A, 90-AA, 90/AA/3, 90/E/1, 90/EE, 90/EE2, 90/EE/390/U/1, 90/2/AA, 90/2/EE and 90/2, total by admeasuring Ac.10.08 guntas situated at Kethireddypally Village, Moinabad Mandal, Ranga Reddy District. Respondent No.3 being a developer, the petitioner approached him and offered to develop his land on certain terms and conditions. Thereafter, both of them entered into a Development Agreement-cum-Irrevocable General Power of Attorney on 27.06.2015 and the said document was got registered vide document bearing No.3908 of 2015. Since the date of agreement till date, respondent No.3 did not take possession of the petitioner's property for development. Even after issuing notice, respondent No.3 has not taken any steps to develop the petitioner's lands. The petitioner has no other alternative except to revoke the power of attorney duly cancelling the registered deed. Accordingly, the petitioner executed a cancellation deed and submitted the same before respondent No.2 on 04.01.2018 for registration. When respondent No.2 simply refused to receive the document for registration without assigning any reason, the present Writ Petition is filed.

3. It is needless to observe that when a properly drafted document is presented for registration complying with all formalities, respondent No.2 has no alternative except to receive the said document and he cannot refuse to receive the document.

4. In the circumstances, the Writ Petition is disposed of directing the second respondent to receive the document, if any, presented by the petitioner and take action in accordance with the provisions of the Registration Act. If the second 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.

5. 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.

FEBRUARY 01, 2018
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A.RAMALINGESWARA RAO, J



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Date:01.02.2018

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