

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3579 of 2018

ORDER:

Heard learned Counsel for the petitioner and the learned Government Pleader for the respondents.

The petitioner states that she is the lawful owner and possessor of open plots total admeasuring 5498.5 square yards in Survey No.366/P situated at Attapur Village, Rajendranagar Mandal, Ranga Reddy District, having acquired the same by virtue of mutation proceedings dated 03.11.2016 issued by the Tahsildar, Rajendranagar Mandal, Ranga Reddy District. Since then she has been in possession and enjoyment of the same. Originally, one Mohd.Azeemuddin, Ex-serviceman, was assigned the subject land and thereafter the husband of the petitioner and the petitioner's GPA holder – Mohammed Riyazuddin, purchased the subject land under registered sale deeds. After the death of the petitioner's husband, the petitioner succeeded to the subject land and got her name mutated in the revenue records. Due to financial necessities, the petitioner wanted to sell the subject land in favour of third parties and approached the third respondent through her GPA holder on 20.01.2018 for registration. When the third respondent refused to receive the documents without assigning any reasons, she 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 petitioner 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.

06.02.2018
vs

(A.RAMALINGESWARA RAO, J)