

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3923 OF 2018

ORDER:

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

The petitioners state that the first petitioner is the absolute owner of the property bearing Plot Nos.389 and 390, totally admeasuring 450 square yards situated at Saibaba Nagar Colony, in Survey No.149 of the Kismathpur Village and Gram Panchayat, Rajendra Nagar Mandal (presently Gandipet Mandal), Ranga Reddy District. Similarly, second petitioner is the absolute owner of the property bearing Plot No.173, admeasuring 200 square yards situated at Saibaba Nagar Colony, in Survey No.149 of the Kismathpur Village and Gram Panchayat, Rajendra Nagar Mandal (presently Gandipet Mandal), Ranga Reddy District. They purchased the said lands under registered sale deeds. They applied for land regularization and the land was regularized. In the meanwhile, B.Madhusudhan Reddy, Sudhkar Reddy and B.Prabhakar Reddy instituted a suit for partition against the petitioners' vendors and the said suit is pending. While so, the petitioners intend to sell the said property for his family necessities and approached the second respondent for registration and when the second respondent refused to receive and process the document, the writ petition is filed seeking a direction to the second respondent to receive and register the document.

It is needless to observe that when a properly drafted document is presented for registration complying with all formalities, the second 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 second 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 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.

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

07.02.2018
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