

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.4361 OF 2018

ORDER:

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

The petitioner states that he purchased agricultural land to an extent of Acs.2.34 guntas in Survey No.45 of Shamshiguda Village, Balanagar Mandal, now Kukatpally Mandal, Medchal Malkajgiri District, under registered sale deed dated 12.09.2011. The vendor, in turn, got the said land through Agreement of Sale cum General Power of Attorney executed by the original owners in the year 1979. The names of the original owners and the purchasers are recorded in the revenue records and the lands are recorded as patta lands. He further states that he purchased 10% right over the lands along with Smt. Nandyala Anasuyamma and they are the joint purchasers of the said extent of Acs.2.34 guntas and they have been peaceful possession and enjoyment of the said land from the date of their purchase and prior to that, their vendors were in possession and enjoyment of the said land. Smt Nandyala Anasuyamma died by ~~executing~~ Will Deed, dated 05.08.2014 in favour of her son Sri N.Venkateswara Reddy bequeathing her rights relating to the subject land. The petitioner herein wanted to relinquish his 10% right over the said land and approached the second respondent for registration of the Release/Relinquishment Deed, and when he refused to receive and register the same, 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 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.

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.

16.02.2018
pln

A.RAMALINGESWARA RAO, J

