

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.4819 of 2018

Order:

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

The petitioner states that his grand mother was the owner and possessor of the land admeasuring 16600 sq. yards (Ac.4-20 gts.,) situated in Survey Nos.219 and 220 (old Survey No.391) of Road No.7, Banjara Hills, Hyderabad. After her death, the petitioner and his family members succeeded to the said property and sold different extents of land in favour of some third parties. The petitioner and his family members also entered into a registered Development Agreement-cum-GPA dated 29.07.2010 and after obtaining building permission from the GHMC on 22.05.2013 through the developer, they constructed the building under the name and style "Trandset Apartments". The Flat bearing No.B-3, with an undivided share of 240 sq. yards of land, out of 16600 sq. yards, of Trandset Apartments along with other flats fell to the share of the petitioner and his family members. Now, the petitioner and his family members want to sell the said flat to some third parties and approached the third respondent for registration of the document. When the third respondent refused to register the same without assigning any reasons, the petitioner 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.

Date: 15.02.2018
Nsr



A. RAMALINGESWARA RAO, J