

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.4840 of 2018

Order:

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

The petitioner states that he is the absolute owner of an extent of Ac.6-02 gts., situated in Survey Nos.125, 126, 127 and 128 of Mamidipally village, Balapur Mandal, R.R. District, having purchased the same under two registered sale deeds dated 13.10.2017 in the name of Marriot Infrastructures Private Limited being the Managing Director. The name of the petitioner's vendor was mutated in the revenue records. One Riyaz Ahmed Khan filed a suit in O.S.No.1258 of 2016 on the file of the XIII Additional District Judge, R.R. District, for cancellation of GPA executed in favour of petitioner's vendor and the said suit is pending consideration. While so, when the petitioner presented a document for registration in respect of the said property, the second respondent refused to receive and register the same on the ground that a civil suit is pending. Challenging the same, 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 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.

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A. RAMALINGESWARA RAO, J

Date: 15.02.2018  
Nsr

