

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.7079 of 2018

ORDER:

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

The petitioner states that she is the absolute owner and possessor of Plot No.524 in Survey No.59 (part) admeasuring 268 square yards situated at Visvesvaraya Engineers Co-operative Housing Society Limited, Karmanghat Village, Saroornagar Mandal, Ranga Reddy District. The petitioner's sister purchased the said plot from Visvesvaraya Engineers Co-operative Housing Society Limited under a registered sale deed. She died on 09.08.2003 and during her lifetime, she executed a Will on 16.10.1998 in favour of the petitioner and, by virtue of the same, the petitioner acquired title to the said property. The petitioner wanted to sell the subject property and executed a sale deed in favour of one Smt.Pavani. As the petitioner is residing at Palakollu and due to her old age she could not be present personally, she executed a Special Power of Attorney in favour of one Smt.S.Neela for the purpose of presentation of the sale deed. When the Special Power of Attorney holder presented the sale deed before the second respondent, the same was not received by the second respondent without assigning any reasons, and hence, the present writ petition is filed.

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.

05.03.2018
vs



(A.RAMALINGESWARA RAO, J)