

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.7318 OF 2018

ORDER

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

It is the case of the petitioner that he is the owner and possessor of house bearing No.3-7-78/A (New house No.5-10-275) admeasuring 100 square yards situated at Kakaguda, Secunderabad and the same was purchased under a registered release deed dated 10.04.2001 bearing document No.608 of 2001 from B.Neela Devi. Now the petitioner intends to alienate the subject property to the third parties to meet his personal expenses. At that time, he noticed that in the said registered release deed, the house number was wrongly mentioned as 2-7-78/A instead of 3-7-78/A. To rectify the said mistake, he prepared self rectification deed and approached the third respondent for registration of the same. But the third respondent refused to receive the said document without assigning any reasons. 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 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.

A.RAMALINGESWARA RAO, J

Date : 08.03.2018
ssp

