

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.30422 OF 2018

ORDER:

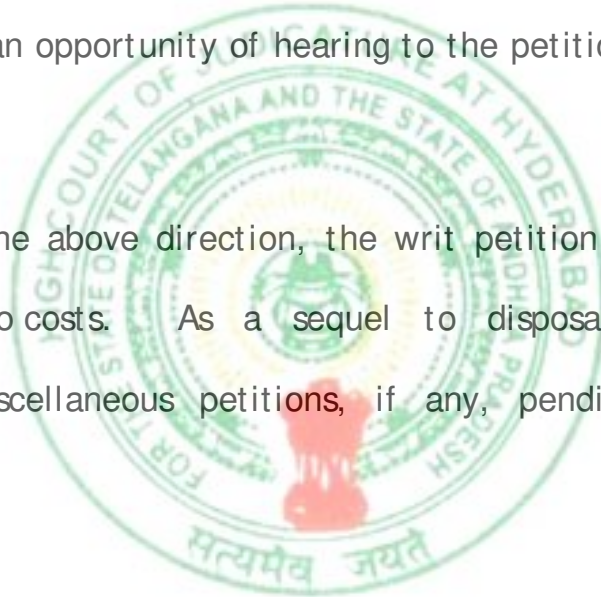
1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the third respondent in refusing to receive the deeds of conveyance presented by the petitioner for registration in respect of flat No.203, second Floor in Diamond Estates-7, with a built up area of 1300 square feet with an undivided share of land admeasuring 52.85 square yards (out of total 3267 square yards) in plot No.26 in Sy.No.145/ 2, situated at Diamond Hills Extension, Hydernagar Village, Kukatpally Mandal, Medchal-Malkajgiri District, without assigning any reasons, as illegal, arbitrary and violative of principles of natural justice.

2) The grievance of the petitioner is that the vendor of the petitioner is lawful owner and possessor of the subject land having purchased the same through different registered sale deeds and in order to develop the said property, he entered into a Development Agreement-cum-GPA with one M/s. Diamond Infra, dated 08.05.2008, registered in the office of Sub-Registrar, Kukatpally, Hyderabad. The vendor of the petitioner obtained permission for construction vide permit No.23/ 62, dated 13.08.2009 and completed the same. While things stood thus, due to personal necessities, the vendor of petitioner wants to sell the subject land and thereby approached the 3rd respondent and presented the documents on 16.8.2018 for registration, who refused to receive

the same, without assigning any reasons. Challenging the same the present writ petition came to be filed.

3) Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 3rd respondent-Sub Registrar-I, to receive the document for registration, if the same is in accordance with the law. If the 3rd respondent is not intending to register the document presented by the petitioner, the 3rd respondent, shall return the same assigning the reasons, as early as possible, preferably, within a period of four weeks from today, after giving an opportunity of hearing to the petitioner and all the concerned.

4) With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, miscellaneous petitions, if any, pending shall stand closed.



C. PRAVEEN KUMAR, J

27.08.2018
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