

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.30439 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.501, fifth floor, with a built up area of 1200 square feet with an undivided share of land admeasuring 40 square yards (out of total 410 square yards) in plot No.2 in Sy.No.57/ AA of "AIM Heaven Residency", situated at Shamshiguda 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 petitioners is that the vendor of the petitioners is lawful owner and possessor of the subject land having purchased the same through registered sale deed bearing document No.4091 of 2016 dated 16.04.2016. Thereafter, he obtained permission to construct a building from the GHMC, Hyderabad vide permit No.51345/ ZC/ WZ/ Cir-14/ 2016, dated 16.06.2016 and completed the same in accordance with the sanctioned plan under the name and style as "AIM HEAVEN RESIDENCY". While things stood thus, due to personal necessities, the vendor of petitioners 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, 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 petitioners, 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 petitioners 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.

27.08.2018
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C. PRAVEEN KUMAR, J

