

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.13085 of 2014

ORDER:

In this Writ Petition, under Article 226 of the Constitution of India, the petitioner assailed an Endorsement bearing No.P-144/2014/OB, dated 09.04.2014, of the Joint Sub-Registrar-I, Visakhapatnam, 3rd respondent herein, whereby he refused to register the Deed of Cancellation of G.P.A.-cum-Agreement of Sale, executed *vide* Document No.3 of 2014 (present document).

2. I have heard the submissions of Sri *V.Mallik*, learned counsel appearing for the petitioner, of the learned Government Pleader for Revenue appearing for the respondents 1 to 3; and of Sri *Vedula Srinivas*, learned Senior Counsel representing Sri *G.Venkata Reddy*, learned counsel appearing for the 4th respondent. I have perused the material record.

3. The only question involved is as to whether a party to a document can unilaterally cancel the GPA-cum-Agreement of Sale.

4. A Division Bench of this Court, in the decision reported in **Gaddam Laxmaiah and others v. Commissioner and Inspector General, Registration and Stamps, Hyderabad and others**¹, while answering a reference, considered the legal position obtaining and held that such unilateral cancellation is impermissible under law. In that view of the matter, no cause survives for adjudication in this writ petition and this writ petition is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 7th August, 2018
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¹ 2017 (4) ALT 213 (D.B.)

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