

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.32586 of 2018

ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for Stamps and Registration.

2. With the consent of both parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed seeking issuance of Writ of Mandamus declaring the action of respondent No.3 in refusing to receive the sale deed presented by the petitioner for registration in respect of flat No.203 (second floor) bearing municipal No.2-1-S/11/JBR/203, with a built up area of 945 square feet along with an undivided share of land admeasuring 22 square yards on plot No.11 in Survey No.57/AA of JBR Residency, situated at Shamshiguda village, Kukatpally Mandal, Medchal-Malkajgiri District, without assigning any reasons, as illegal and arbitrary.

4. The grievance of the petitioner is that the vendor's vendor of the petitioner purchased the subject property through registered sale deed No.12481/2006. Thereafter, he obtained building permission vide proceedings dated 24.02.2007, constructed residential apartments and sold one flat bearing No.203, to the vendor of the petitioner through a registered sale deed No.6593/2010, who in turn, sold the same in favour of the petitioner through registered sale deed No.14154/2016, dated

23.12.2016, registered in the office of SRO, Kukatpally, Hyderabad, and as such, the petitioner is said to be in peaceful possession and enjoyment of the same. While things stood thus, due to personal necessities, the vendor of the petitioner wanted to sell the subject land and thereby approached respondent No.3 and presented the documents on 05.09.2018 for registration, who refused to receive the same, without assigning any reasons. Challenging the same, the present Writ Petition came to be filed.

5. Having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing respondent No.3 to receive the document for registration, if the same is in accordance with law and process the same in accordance with the provisions of Indian Stamp Act and the Indian Registration Act. If respondent No.3 is not intending to register the document presented by the petitioner, he 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.

6. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. No costs.

C.PRAVEEN KUMAR, J

Date:11.09.2018
vhb