

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35037 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 2nd respondent in not receiving the documents presented by the petitioners by virtue of sale agreements dated 19.9.2018 and register and release the same in respect of the property admeasuring 600 sq. yards in respect of the 2nd petitioner, 150 sq. yards in respect of the 3rd petitioner and 150 sq. yards in respect of the 4th petitioner respectively situated at Sy.No.96 of Vepagunta Village, Pendurthi Mandal within the limits of Greater Visakhapatnam Municipal Corporation, Gopalapatnam S.R.O Limits, Visakahapatnam District as illegal and arbitrary.

It is the case of the petitioners that they are the absolute owners and possessors of the above said lands, having purchased the same from their vendor through the registered sale deed dated 19.12.1994. While things stood thus, petitioners in need of funds, approached the 2nd respondent along with the sale agreement dated 19.9.2018 for registration and release under the provisions of the Registration Act, 1908, (for short, "the Act"). But the said 2nd respondent refused to receive the same. Hence, the present writ petition.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the 2nd respondent-Joint Sub Registrar, to receive the documents presented by the petitioner for registration, if it fulfills the requirements of the provisions of the Indian Registration Act and the Stamps Act and proceed to deal with the same in accordance with law. However, if the 2nd respondent, is not satisfied with the documents presented by the petitioners for registration, the 2nd respondent, shall return the same assigning reasons, as early as possible, preferably within a period of two to three weeks from the date of

its presentation, by giving reasonable opportunity of hearing to the petitioners and all concerned.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

C. PRAVEEN KUMAR, J

Dated:03.10.2018.
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