

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.44524 OF 2017

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for the respondents.

The petitioner states that the petitioner entered into a Development Agreement coupled with General Power of Attorney with Shaik Masthan Vali and other co-sharers for developing the property of Acs.20.44 cents in Survey Nos.201 and 296 of Macharla Village, Macharla Mandal, Guntur District, and according to the said Agreement, the petitioner has to get layout approval and other required permissions from the Government Authorities. The property's owners got the property through hereditary from their forefathers and their forefathers got the property through Service Inam and their names were also mutated in the revenue records and they have had continuous possession and enjoyment of the said land without any interference from any third parties for more than sixty years. The petitioner approached the third respondent with all relevant documents for registration of the Development Agreement and when the third respondent refused to receive and process the documents for registration, the writ petition is filed seeking a direction to the third respondent to receive and register the Development Agreement.

It is needless to observe that when a properly drafted document is presented for registration complying with all formalities, the third respondent has no alternative except to receive the said document and he cannot refuse to receive the document.

In the circumstances, the writ petition is disposed of directing the third respondent to receive the document, if any, presented by the petitioner and take action in accordance with the provisions of the Registration Act. If the third respondent cannot register the said document

for any reason, he has to make an endorsement to that effect and pass an order in accordance with Section 71 of the Registration Act.

Consequently, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

23.01.2018
pln

A.RAMALINGESWARA RAO, J

