

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 2191 of 2020

ORDER:

This writ petition is filed for the following relief;

“...to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents more particularly the 3rd respondent in refusing to register the Development Agreement-cum-GPA, dated 04.11.2019 presented by the petitioner and others in respect of the land totally admeasuring 15282.93 Sq.Yards and 60.00 guntas comprising of various plots in the layout of land totally admeasuring Ac.27.00 guntas in Sy.Nos.119 & 122 (Old) and Sy.No.27/2 (New), situated at Khajaguda Village, Serilingampally Mandal, Ranga Reddy District, Telangana basing on the letter of the District Collector in Proc.No.E5/4733/2013/Serilingampally/ Khajaguda, dated 26.09.2013 through intimation of Refusal vide Refusal Order No.11/2020, dated 25.01.2013 as illegal, arbitrary, unjust, unconstitutional, violation of principles of natural justice and also contrary to the provisions of Registration Act, 1908, and set aside the same, and consequently direct the respondents 2 and 3 to register and release the Development Agreement-cum-GPA, dated 04.11.2019 presented by the petitioner and others in respect of subject land, and to pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.”

Heard learned counsel for the petitioner who submits that the *lis* in the writ petition is squarely covered by order dt.27.01.2020 passed by this Court in WP.No.1569 of 2020.

The said submission is not disputed by the learned Assistant Government Pleader for Revenue.

In view of the same and for the reasons alike in the said order dt.27.01.2020 in WP.No.1569 of 2020, this writ petition is also disposed of directing the Registering authority to receive and process the subject document without reference to the District Gazette Notification dated 26.09.2013 subject to compliance of the provisions of the Indian Registration Act, 1908 and Indian Stamp Act, 1899. It is also open to the registering authority to refuse to register/receive the document presented before him, if he has any other objection, by duly assigning reasons in support of such decision and communicate the said decision to the petitioner. It is made clear that mere registration of document does not confer title to the property. It is also made clear that this order does not preclude the Government/District Collector to take appropriate steps as warranted by law and to assert its title. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

04.02.2020
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