

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.16320 of 2015

Date: 17.06.2015

Between:

Jada Premchand

.... Petitioner

And

1. The Sub Registrar, Registration & Stamps Department,
Anandapuram, Visakhapatnam, and others.

... Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.16320 of 2015

ORDER:

Learned Assistant Government Pleader states on instructions that in the light of the law laid down by a Division Bench of this Court in **G. Narasaiah v. State of A.P.**^[1], it is not open to the registration authorities to shut out a document at the threshold by refusing to receive it when it is presented for registration. Section 71 of the Registration Act 1908 (for brevity 'the Act') vests the said authority with the power of refusal to register a document duly recording the reasons therefor.

The registration authority must therefore take recourse to exercise of this power and cannot circumvent the same by not receiving the document at all.

The writ petition is therefore disposed of directing the Sub Registrar, Anandapuram, Visakhapatnam, to receive and process the document presented for registration by the petitioner in relation to the subject land. Upon enquiry, if the Sub Registrar finds that the said document complies with all legal requirements, he may complete the registration and thereafter release the document as per the due procedure. If however, he is of the opinion that the document is to be denied registration, he shall exercise power under Section 71 of the Act and indicate reasons for the refusal of registration to the parties.

Pending miscellaneous petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

Date: 17.06.2015

va

[\[1\]](#) 2011 (3) ALD 635