

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No. 28921 of 2015**

**ORDER:**

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Heard learned counsel for the petitioner and learned Government Pleader for Revenue. With the consent of both the parties, the main writ petition itself is heard at the admission stage.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent Nos.2 and 3 in not entertaining to register the sale deed presented by the petitioner in respect of land admeasuring Ac.4.00 situated in Sy.No.70/2B/1 of Kallur Village and Mandal, Kurnool District, though the petitioner is having patta and title deeds vide patta No.200 as illegal arbitrary and contrary to the provisions of the Registration Act, 1908; and consequently direct the respondents to register the sale deed and release the same in respect of the said land.

The averments in the affidavit filed in support of the writ petition would show that the petitioner is the absolute owner and possessor of land admeasuring Ac.4.00 cents situated at Kallur Village and Mandal, Khammam District and his name was also recorded in the revenue records as pattadar and possessor. It is alleged that as the petitioner intends wants to sell the land, approached respondent Nos.2 and 3 to find out the market value before presenting the document for registration. The grievance of the petitioner is that the third respondent is not giving the certificate with regard to market value of the land.

It is well settled that even before presentation, the Registrar cannot refuse to receive any document for registration. However, unless petitioner presents the documents it is not possible to consider his request and the relief prayed for cannot be granted. Petitioner is at liberty to present the document he proposes to execute before the third respondent in compliance with the Indian Stamp Act, 1899 and the Registration Act, 1908. If such a document is received, the third respondent shall examine, process and register the same, if he is satisfied regarding compliance under the Acts

aforesaid. It is made clear that if the Registrar is of the view that the registration cannot be granted, he shall pass a reasoned order under Section 71 of the Registration Act, 1908 and communicate the same to the petitioner.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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**JUSTICE C. PRAVEEN KUMAR**

08.09.2015  
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