

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 16016 of 2015

Date: 09.06.2015

Between:

T. Sumathi,
Chittoor District.

.... Petitioner

And

The Govt. of Andhra Pradesh,
Revenue Minister,
Secretariat Buildings, Hyderabad
Rep. by its Principal Secretary and others.

... Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 16016 of 2015

ORDER:

The grievance of the petitioner is that the Sub Registrar, Tirupati Urban, Tirupati, was refusing to receive and register the sale deed presented by her in respect of a certain plot of land in Survey No.110, Paimaish No.67, Akkarampally Village, Tirupati Urban Mandal, Tirupati. This reluctance on the part of the Registration Authority is stated to be based on the letter dated 12.08.2009 addressed by the Tahsildar, Tirupati Urban Mandal, Chittoor District.

It is a settled position of law that the Registration Authority cannot refuse to receive a document presented for registration. In the event he has reason to refuse registration, Section 71 of the Registration Act, 1908, vests him with the power to pass an order setting out the reasons for such refusal. The Registration Authority cannot circumvent this procedure by refusing to receive the document at the threshold.

The Sub Registrar, Tirupati Urban, Tirupati, Chittoor District, is accordingly directed to receive and process the document presented by the petitioner for registration and take appropriate action thereafter in accordance with law. It would be open to the petitioner to apprise the Registration Authority of the legal position at the time of presentation of the document for registration.

The Writ Petition is disposed of with the above direction.

Pending Miscellaneous Petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date: 09.06.2015

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