

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.2238 of 2018

ORDER:

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

The petitioner inherited land of an extent of Acs.41.69 guntas in various survey numbers situated at Kancheru (Reddi Kancheru) Village, Bhogapuram Mandal, Vizianagaram District, from his mother through a Will dated 22.01.2011. After expiry of his mother, he has been in possession and enjoyment of the said property. Due to financial necessities, when the petitioner wanted to sell the property, respondent No.4 orally refused the registration on the ground that the subject property belongs to Government. Hence he filed the present Writ Petition.

It is needless to observe that when a properly drafted document is presented for registration complying with all formalities, the fourth 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 fourth 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 fourth 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.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

29.01.2018
vs

(A.RAMALINGESWARA RAO, J)

