

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No.3850 OF 2018**

**ORDER:**

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

The petitioner states that the petitioner is the absolute owner of the land admeasuring Acs.2.00 cents situated in Survey No.46 of Poolovanigunta Hamlet of Akkarampalli Village, Chittoor District, having acquired the right and title over the said land by way of succession effected in 1977. The petitioner's father purchased the said land from his vendor on 31.05.1923. The petitioner has been in continuous possession and enjoyment of the said land. When the petitioner approached the fourth respondent for registration, the fourth respondent refused to register the same and insisted to get 'No Objection Certificate' (NOC) from the Revenue Authorities. The petitioner enquired with the Revenue Authorities whether the Government has any claim over the subject land and found that the subject land is a private land and the Government does not have any claim over the same. Again when the petitioner approached the fourth respondent, the fourth respondent refused to receive and process the said document. In those circumstances, the petitioners filed the present writ petition seeking a direction to the fourth respondent to register and release the document.

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.

**A.RAMALINGESWARA RAO, J**

07.02.2018  
pln

