

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.3983 of 2018

Order:

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

The petitioners state that the land admeasuring Ac.8-28 cents situated in Survey No.1323 and Ac.8-75 cents in Survey No.1311 of Aluru village, Tadipatri mandal, Ananthapur District is their ancestral property. After the demise of their grand father, their fathers succeeded to the said property. After the death of the father of the first petitioner, the petitioners orally partitioned the said lands and in the said oral partition first petitioner got Ac.4-61 cents, second petitioner got Ac.3-45 cents, third petitioner got Ac.4-27 cents and the fourth petitioner got Ac.4-70 cents of land. Their names were entered in the revenue records and pattadar passbooks were also issued in their favour. The petitioners intended to sell the said property to some third parties and approached the fourth respondent for registration of the document. When the fourth respondent refused to register the same without assigning any reasons, they 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 petitioners 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

Date: 08.02.2018
Nsr

