

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.4573 of 2018

Order:

The petitioner states that the land of an extent of Ac.3-45 cents, situated in Survey No.301/1 of Moragudi village, Jammalamadugu Mandal, YSR Kadapa District, was assigned to the grand father of the petitioner in the year 1923 as per the proceedings No.199/DR of 38 (TQ No.342 of 23). After the demise of his grand father and his father, the petitioner succeeded to the said property and his name was mutated in the revenue records as pattadar under Khata No.87. The petitioner and his brothers sold the land of an extent of Ac.1-00 under a registered sale deed dated 29.10.1990 and they are in possession of the remaining extent. When the petitioner intends to sell the remaining extent of Ac.2-45 cents to third parties and approached the fifth respondent on 25.01.2018 for registration of the document, the fifth respondent refused to receive and register the same. Challenging the same, the petitioner 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 fifth 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 fifth 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 fifth 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: 14.02.2018
Nsr

