

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.5169 of 2018

ORDER:

The Writ Petition is filed challenging the action of the fourth respondent in refusing to receive and register the conveyance deed for selling the subject land on the ground that the petitioner has to obtain no objection certificate from the second respondent.

The subject land has been in possession and enjoyment of the petitioner and she has inherited the same from her father, who had purchased it from his vendors for a valid sale consideration vide registered sale deed dated 15.03.1974. After the demise of her father, based on her representation, her name was mutated in the revenue records and pattadar pass books were also issued. When she intended to sell the subject land and approached the fourth respondent, he refused to register the same and the petitioner was asked to furnish the no objection certificate from the concerned revenue authorities. Hence, the present Writ Petition is filed.

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.

19.02.2018
vs

(A.RAMALINGESWARA RAO, J)

