

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.5097 of 2018

Order:

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

The petitioner states that originally the land admeasuring 1306 sq. yards in D.No.504/1 and 504/2 of Guntur Municipal Corporation Area, Guntur, Guntur District belonged to one Marisetty Perumallu who purchased the same under a registered sale deed dated 10.06.1930. Subsequently, he sold the said property to one Pullagundla Sessaiah under a registered sale deed dated 25.05.1984. Thereafter, the father of the petitioner purchased the said property on 27.08.1984. The petitioner acquired the said property in the family partition. The petitioner entered into an agreement of sale on 02.12.2017 with one Manepalli Babu and when he approached the third respondent for registration of the sale deed, he refused to register the same and insisted for 'No Objection Certificate' from the respondents 4 and 5. 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 third 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 third respondent to receive the document, if any, presented by the petitioner, without insisting for 'No Objection Certificate' and take action in accordance with the provisions of the Registration Act. If the third 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.

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A. RAMALINGESWARA RAO, J

Date: 16.02.2018  
Nsr

