

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.5187 of 2018

ORDER:

This Writ Petition is filed challenging the action of the fifth respondent in refusing to register the document presented by the petitioner for the subject property and insisting to get the no objection certificate from the revenue authorities.

The case of the petitioner is that the petitioner and one Dontha Venkateswarlu got full rights over the subject property through registered sale deed dated 07.10.2011, which was registered by the fifth respondent. Since then they have been in possession of the same. The said land was converted into non-agriculture land from agriculture land. Due to financial necessities, when the petitioner wanted to sell the said land and approached the fifth respondent, the document was not received by the fifth respondent and the petitioner was asked to get no objection certificate from the 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 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.

19.02.2018
vs

(A.RAMALINGESWARA RAO, J)

