

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.5285 of 2018

ORDER:

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

The petitioner states that she is the owner of Plot No.01, Survey No.31/5 Paiki, 3rd line, Pulivendula Municipal Area, Bhakarapuram Village, Pulivendula Mandal, YSR Kadapa District. Her husband executed a registered gift deed in her favour on 12.08.2011. She states that the property was initially purchased by her husband under a registered sale deed dated 11.12.2008 and it was not an assigned land. Due to her financial necessities, when she wanted to sell the land and approached the second respondent, he refused to receive the document presented by the petitioner. 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 second 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 second 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 second 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)

19.02.2018

Note: Issue C.C in one week.

B/o.

vs

