

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.5933 of 2018

Order:

The petitioner states that he along with one Alagani Sudhakar purchased Plot Nos.39 and 48, admeasuring 240.46 sq. yards of the layout laid in an extent of Ac.4-04 cents out of Ac.16-16 cents, situated in Survey No.43 of Chakirala Gram Panchayat, kanigiri Mandal, Prakasam District under a registered sale deed dated 07.10.2011. The petitioner has got his share Plot No.39, admeasuring 120.23 sq. yards and he has been in possession and enjoyment of the same. When the petitioner wants to sell the said property to third parties and approached the fifth respondent for registration of the document, he refused to register the same. Challenging the same, 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.

A. RAMALINGESWARA RAO, J

Date: 22.02.2018
Nsr