

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.6430 of 2018

Order:

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

The petitioners state that their father purchased the land of an extent of Ac.9-79 cents in Survey No.5/1C, Ac.2.65 cents in Survey No.17/1C, Ac.3-00 in Survey No.17/1D, Ac.0-44 cents in Survey No.19/1B, Ac.0-20 cents in Survey No.19/1C, Ac.0-50 cents in Survey No.50/2A, Ac.2-00 in Survey No.76/1B, Ac.9-00 cents in Survey No.5/1B, Ac.4-00 cents in Survey No.17/1A, Ac.1-75 cents in Survey No.17/1B, Ac.3-95 cents in Survey No.18/1, Ac.1-00 cents in Survey No.76/1D, Ac.0-76 cents in Survey No.76/1G and Ac.0-57 cents in Survey No.55/3 of Modugulapalyam village, Yerpedu mandal, Chittoor District, under a registered sale deed dated 17.12.1968. The name of their father was mutated in the revenue records including No.1-B and ROR Register by the then Tahsildar. After the demise of their father, they partitioned the ancestral properties including the said lands and they have been in possession of their respective lands and their names were also mutated in the revenue records. When they intend to sell the above lands and approached the third respondent, he refused to register the document, without assigning any reasons. Challenging the same, they 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 petitioners 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.

Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

Date: 27.02.2018
Nsr

A. RAMALINGESWARA RAO, J

