

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.6961 of 2018

ORDER:

This Writ Petition is filed challenging the action of the fourth respondent in refusing to register the document presented by the petitioner in respect of the property in an extent of Acs.4.12 cents in Survey No.57/2 situated at Mukkavalasa Village, Makkuva Mandal, Vizianagaram District, and insisting to get the no objection certificate from the revenue authorities.

The case of the petitioner is that he purchased the subject property from his vendor under an agreement of sale dated 07.02.2018 for a valuable consideration of Rs.3,00,000/- per acre and paid an amount of Rs.1,00,000/- as advance amount at the time of execution of agreement of sale. The petitioner states that the said property is a patta land and his vendor, who purchased the same under registered sale deed dated 28.02.2013, has been enjoying the said property from the date of his purchase. When the petitioner presented the sale deed for registration, the fourth respondent is insisting to obtain NOC 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 fourth 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 fourth 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 fourth 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.

05.03.2018
vs

(A.RAMALINGESWARA RAO, J)

