

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.38797 OF 2017

ORDER:

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

2. The petitioner states that his father purchased the land to an extent of Ac.2-10 cents in Survey No.14-2 situated at Itukalapalli Village, Anantapur District, under a registered sale deed vide Document No.3388 of 1966, dated 18.08.1966, from one Venkatappa. After death of his father, the property was devolved upon the petitioner and since then he has been in continuous possession and enjoyment of the same. When the petitioner intends to sell the property in favour of third parties, he approached the fifth respondent for the purpose of executing registered sale deed, but, the fifth respondent refused to register the same and he insisted No Objection Certificate from respondents 2 to 4. Hence, the Writ Petition.

3. 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.

4. 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.

5. 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

JANUARY 23, 2018

YVL



THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO



WRIT PETITION No.38797 OF 2017

Date:23.01.2018