

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.39438 of 2017

ORDER:

This Writ Petition is filed seeking to declare the action of the third respondent in not entertaining the documents submitted by the petitioners for registration in relation to their respective extent of lands out of total extent of Ac.4.90 cents in Survey No.172, situated at Gangavaram Village, Beluguppa Mandal, Ananthapuram District, as arbitrary and illegal.

2. The petitioners state that their father possessed the aforesaid land, which was acquired from his ancestors. Subsequent to his death, they succeeded to the said property and they are in continuous possession and enjoyment of the same. The revenue authorities also recognized their title. While so, the petitioners intend to sell the said property to meet the family expenses and accordingly, executed Sale Deeds in favour of petitioners 5 to 9. Thereafter, when the petitioners approached the office of the third respondent to know the registration charges and stamp duty for registration of the documents in respect of aforesaid property, the third respondent informed that he did not receive the document and refused to register the same. Aggrieved by the same, the present Writ Petition is filed.

3. 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.

4. 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.

A.RAMALINGESWARA RAO, J

FEBRUARY 06, 2018
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Date:06.02.2018

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