

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.43433 OF 2017

ORDER:

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

The petitioner states that the petitioner purchased the land in Survey No.347-3 to an extent of Acs.2.98 cents situated at Balasamudram Village, Madakasira Mandal, Anantapur District, from Khathumbi, who inherited the said land from her ancestors and has been in continuous possession and enjoyment of the said land. The petitioner approached the fourth respondent seeking Market Value Certificate of the said land in order to purchase the land. The fourth respondent refused to furnish the valuation and refused to receive the document and insisted to obtain 'No Objection Certificate' from the respondents 2 and 3 though the subject property is purely private property. While so, the petitioner presented the sale deed for registration and when the fourth respondent refused to receive the said document without assigning any reasons, 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.

A.RAMALINGESWARA RAO, J

19.01.2018
pln

