

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.43429 OF 2017

ORDER:

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

The petitioner states that originally an extent of Acs.3.03 cents in Survey No.432/67, part of Attili Village of West Godavari District has been assigned to Rampalli Agnihotrudu, in the year 1969 under Political Sufferers Scheme as freedom fighter. Out of the said property, an extent of Acs.1.50 cents has been sold in favour of J.Balatripura Sundari in 1971 and Acs.0.50 cents in favour of one B.L.S.Kantam in 1972 and the remaining Acs.1.03 cents has been purchased by the father of the petitioner in 1973 under registered document. After the demise of his father, the petitioner has been in continuous possession and enjoyment of the said property. The remaining two persons have already sold their properties under registered sale deeds and there was no objection from the Registration Authorities. The petitioner intended to sell his land, i.e., Acs.1.03 cents in Survey No.432/67, part of Attili Village of West Godavari District, to the prospective purchaser and accordingly, he submitted the Sale Deed before the fourth respondent 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.

19.01.2018
pln

A.RAMALINGESWARA RAO, J

