

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.42908 OF 2017

ORDER:

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

The petitioner states that originally one Bandi Sanjeevamma was the assignee by way of patta in respect of land of an extent of Acs.5.70 cents in Survey Nos.220/2 and 220/4 situated at Kappalabanda Village, Puttaparthi Mandal, Ananthapuram District. The said Bandi Sanjeevamma had obtained loan from the Ananthapur District Cooperative Central Bank Limited, Ananthapuramu, by pledging the patta and she defaulted in payment of the said loan. The Ananthapur District Cooperative Central Bank Limited has put the said property for auction and the petitioner participated in the said auction and knocked the bid in respect of the said property. The Bank has issued the Sale Certificate in favour of the petitioner after payment of the bid amount to the Bank. The petitioner presented the sale deed in respect of the lands in Survey Nos.220/2 and 220/4 situated at Kothacheruvu Village and Mandal, Ananthapuramu District, for registration, and when the fifth 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 fifth 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 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.

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

18.01.2018
pln

