

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.43513 OF 2017

ORDER:

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

The petitioners state that they were in occupation and peaceful possession of the Grama Kantam land in Survey No.163-1 to an extent of Acs.0.05 cents each situated at Banaganapalli Village and Mandal, Kurnool District. They wanted to sell their lands to meet their family expenses. When they approached the fourth respondent to furnish market value certificate for alienation of their lands, the fourth respondent has not accepted to receive the document on the ground that the subject land is a Garama Kantam land. In those circumstances, the writ petition was 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

22.01.2018
pln