

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.41648 OF 2017

ORDER:

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

2. The petitioner states that he is the absolute owner and possessor of lands to an extent of Ac.0-80 cents in Survey No.599-2B and Ac.2-30 cents in Survey No.601-2B in Kollabyly Village, Madanapalle Mandal, Chittoor District, having purchased the same under a registered sale deed for a valuable consideration. Thereafter, the petitioner approached the revenue authorities and on the basis of registered sale deed, dated 29.05.2015, his name was mutated in 1B Register. While so, when the petitioner intends to sell above property, he approached the fifth respondent in the month of October, 2017, for registration of the document, but, the fifth respondent informed that the said lands are included in the list of prohibited lands and refused to register the document and insisted no objection certificate from the revenue authorities. Aggrieved by the action of the fifth respondent, 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 fifth 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 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.

5. 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

JANUARY 23, 2018

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Date:23.01.2018