

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.44305 OF 2017

ORDER:

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

2. The petitioner states that he is the owner and possessor of land to an extent of Ac.0-75 cents out of total extent of Ac.12-75 cents, in Survey No.34/A, situated at Challagirigala Grampanchayat, Kanigiri Mandal, Prakasam District, having purchased the same through a registered sale deed vide document No.12396/2009, dated 29.09.2009. Since then, the petitioner is in continuous possession and enjoyment of the said property. The fourth respondent also granted pattadar passbooks and title deeds in favour of the petitioner. Now, the petitioner intends to sell the said property and accordingly, approached the fifth respondent for registration. When the fifth respondent refused to register the document and insisted No Objection Certificate from the revenue authorities, 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

07.02.2018
YVL



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Date:07.02.2018