

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.45035 OF 2017

ORDER:

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

The petitioner states that she is the absolute owner and possessor of the land to an extent of Acs.1.00 cents in Survey No.496/2A/1 of Ramireddypalli Village, Chandragiri Mandal, Chittoor District. The said land originally assigned to the husband of the petitioner and after the death of the husband of the petitioner, the petitioner inherited the same being the legal heir. The petitioner approached the fourth respondent seeking Market Value Certificate of the said land in order to sell the land. The fourth respondent refused to furnish the valuation and refused to receive the document and furnished online copy informing that the land in question is included in prohibition list. The petitioner states that the Encumbrance Certificate discloses that the land in question is a private patta land. Similar issue fell for consideration before this Court in W.P.No.39198 of 2017 and this Court allowed the said writ petition, by order dated 20.12.2017. There was no prohibition of alienation of lands, which are assigned prior to 1954. While so, the petitioner presented the sale deed for registration 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.

A.RAMALINGESWARA RAO, J

18.01.2018
pln

