

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.45216 OF 2017

ORDER:

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

The petitioner states that he is the absolute owner and possessor of the land to an extent of Acs.1.27 cents in Survey No.234/8 of Dupadu Village, Tripuranthakam Mandal, Prakasam District. 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. In a similar situations, one Sri Suresh filed W.P.No.24170 of 2008 for declaring the action of the respondents in including the lands specified therein in prohibition list and this Court by order, dated 25.03.2009 held that the subject land therein shall be treated as patta land and directed the Registrar shall entertain the sale deeds that may be presented by the petitioners. In spite of the same, 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

