

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.44874 OF 2017

ORDER:

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

The petitioner states that he purchased the land of an extent of Acs.0.50 cents in Survey No.164/3 situated in Pathunivalasa Village, Srikakulam Mandal and District, from one Tekkim Bala Krishna vide registered sale deed, bearing document No.5326 of 2004, dated 20.12.2004. Ever since the date of purchase, he is in absolute possession and enjoyment of the land. In the said registered sale deed, the survey number was wrongly mentioned as 165/3 instead of 164/3. After coming to know of the said mistake committed in the registered sale deed, the petitioner presented the Rectification Deed. When the fifth 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 fifth 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 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.

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

