

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.45114 OF 2017

ORDER:

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

The petitioners state that the mother of the first petitioner is the absolute owner of land admeasuring Acs.4.70 cents in Survey No.656/2, situated at Puttaparthi Village and Mandal, Ananthapuram District, and out of the said property, an extent of Acs.1.00 cents was sold to the petitioners 2 to 6 through sale deed, dated 25.10.2010, registered as document No.118 of 2010. The first petitioner's mother executed Gift Settlement Deed, dated 18.09.2010, registered as document No.144 of 2011, for the land admeasuring Acs.2.22 1/2 cents in Survey No.656/1, situated at Puttaparthi Village and Mandal, Ananthapuram District, in favour of the first petitioner. The petitioners acquired the lands by way of purchase/gift in the year 2010 after obtaining 'No Objection Certificate' from the competent authority. While so, the petitioners presented the sale deeds for registration in favour of the proposed purchasers, 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

