

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.45181 OF 2017

ORDER:

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

The petitioner states that the lands of an extent of Acs.2.28 cents and Acs.5.00 cents in Survey No.718/B of Thukivaram Village fields, Renigunta Mandal, Chittoor District were assigned in favour of the father-in-law of the petitioner and his relative respectively. The lands were brought under cultivation and pattadar pass books were also issued to them. The relative of the father-in-law of the petitioner has executed an unregistered Will in favour of the father-in-law of the petitioner. After demise of the relative of the father-in-law of the petitioner, the father-in-law of the petitioner succeeded to the property. Thereafter, the husband of the petitioner succeeded to the said property and after the demise of the husband of the petitioner, the petitioner inherited the subject land being the legal heir and since then, she has been in possession and enjoyment without any interference. The petitioner sold the subject land in favour of one Challa Jalandar Reddy for her family necessities and presented the sale deed to the fifth respondent for registration and when the fifth respondent refused to receive the said document without assigning any reason, 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

