

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.45305 OF 2017

ORDER:

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

The petitioner states that the land admeasuring an extent of Acs.0.20 cents each in D.No.127 belongs to the ancestors of the vendor of the petitioner. The said survey number was sub-divided in the year 1925, which is classified as Zeroithi patta. They are in possession and enjoyment of the same for more than eighty years and pattadar pass book was also issued in their favour and their names were also mutated in the revenue records. The petitioner presented the document for registration before the fifth respondent and when the fifth respondent refused to receive the same, 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

23.01.2018
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