

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.45186 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.0.48 1/2 cents each in D.No.127/9, having purchased the same under Registered Sale Deed dated 18.07.2000. The petitioner approached the fifth respondent seeking Market Value Certificate of the said land in order to sell the land. The fifth respondent refused to furnish the valuation and refused to receive the document and furnished online copy informing that the lands in question are included in prohibition list. The petitioner states that the Encumbrance Certificate discloses that the lands in question are private patta lands. The petitioner presented the sale deed for registration and 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

