

HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.5158 of 2019

ORDER:

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader appearing for the respondents. With their consent, the writ petition is disposed of at the admission stage.

The petitioner states that he is in possession and enjoyment of the land extent of Ac.2.35 cents situated in Survey No.174/1 of Nandikotkuru Mandal, Kurnool District, and he purchased the same through a registered sale deed dated 31.07.2015 and he was given pattadar passbooks and title deeds. The petitioner wants to sell away the land to the third parties and when he approached the third respondent for registration of the sale deed in the name of third parties, he is not receiving the sale deed for registration of the same.

Learned counsel for the petitioner submits that the third respondent is under statutory obligation to receive the sale document for registration and process the same and release the document. But the action of the third respondent in refusing to receive the document for registration is illegal and arbitrary.

Learned Assistant Government Pleader appearing for the respondents submits that if the sale document is presented as per the provisions of the Registration Act, and

the Rules made thereunder, same could be received by the third respondent and same will be registered and released.

The third respondent is under statutory obligation to receive and register the document if it is presented as per the provisions of the Registration Act, 1908.

In the facts and circumstances of the case, submissions of the counsel and perused the document, this Court felt it appropriate to direct the third respondent to receive the sale document submitted in respect of the land an extent of Ac.2.35 cents situated in Survey No.174/1 of Nandikotkuru Mandal, Kurnool District, if the same is in accordance with the provisions of the Registration Act. The third respondent is under statutory obligation to receive and register the same and thereafter release the document. If the third respondent is not inclined to register the sale document, give reasoned endorsement under Section 71 of the Registration Act, 1908 and communicate the same to the petitioner. There shall be no order as to costs.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

M.GANGA RAO, J

Date: 16.04.2019
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