

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 26612 of 2015 (B)

PETITIONER :

**LEELAVATHI, AGED 37 YEARS,
W/O.SWAMINATHAN, PADAVAYALIL HOUSE, PALOOR P.O.
MANNARKKAD, PALAKKAD-672582.**

**BY ADVS.SRI.P.N.SANTHOSH
SMT.K.P.GEETHA MANI
SRI.P.N.APPUKUTTAN
SMT.ASWATHI APPUKUTTAN**

RESPONDENT :

**THE SUB REGISTRAR
OFFICE OF THE AGALI SUB-REGISTRAR,
PALAKKAD DISTRICT, KERALA, PIN 678581.**

BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1: A TRUE COPY OF THE SETTLEMENT DEE NO.742//2013 DATED 27.5.2013 EXECUTED BY THE FATHER OF THE PETITIONER IN FAVOUR OF THE PETITIONER IN SRO, AGALI.
- EXHIBIT-P2: A TRUE COPY OF THE TAX RECEIPTS DATED 2.7.2013 ISSUED BY THE VILLAGE OFFICER, PADAVAYAL IN RESPECT OF EXT.P1 PROPERTY.
- EXHIBIT-P3: A TRUE COPY OF THE POSSESSION CERTIFICATE 2.7.2013 ISSUED TO THE PETITIONER BY THE VILLAGE OFFICER, PADAVAYAL IN RESPECT OF EXT.P1 PROPERTY.
- EXHIBIT-P4: A TRUE COPY OF THE JUDGMENT DATED 18.10.2011 IN W.P.(C) NO.27410/2011 OF THIS HON'BLE COURT.
- EXHIBIT-P5: A TRUE COPY OF THE COMMON JUDGMENT DATED 16.12.2014 IN W.P.(C) NO.32839/2014 AND CONNECTED CASES OF THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.26612 of 2015

Dated this the 17th day of September, 2015

JUDGMENT

The petitioner has approached this Court on account of refusal to issue No Objection Certificate by the revenue authority for registering the document produced by the petitioner. According to the petitioner, the land covered by the document is less than two hectares. In such circumstances, this Court in W.P.(C) No.29977/2014 and connected cases ordered as follows:

“In view of the above proviso, I am of the view, if the document indicate that the extent of property is less than two hectares, Registering Authority shall not insist for production of No Objection Certificate. Therefore, Registering Authority shall register the document on being satisfied that the petitioners' property does not exceed two hectares for the purpose of registration of the document without NOC from the competent authority.”

In view of the above judgment, the registering authority shall verify whether the extent of the land is less than two hectares or not. If it is satisfied that the land is less than two hectares, the

document shall be registered without insisting production of No Objection Certificate from the competent authority.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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