

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.27407 of 2015

ORDER:

The petitioners state that they are owners of the lands admeasuring Ac.3-34 cents in Sy.No.423/1 and Ac.3-28 cents in Sy.Nos.423/2, 423/3 and 423/4 situated at Bandameeda Kamma Palli Village, Madanapalle Mandal, Chittoor District, having succeeded from their ancestors. They also produced encumbrance certificate issued on 19-07-2014 showing the number of transactions relating to the said land. They also state that the said lands are not covered by Notification issued by the District Collector and since the lands in question are private lands, there is no question of obtaining NOC from the revenue department. However, the 4th respondent is not receiving and entertaining the documents presented by them for registration with regard to the lands in question and insisting them to obtain 'No Objection Certificate' from the revenue department.

The issue raised in this writ petition is squarely covered by the judgment of this Court in W.P.No.17809 of 2015 and batch, dated 22.06.2015.

In view of the same, following the aforesaid judgment, this writ petition is also disposed of directing the registering authorities concerned to receive and process the document presented by the petitioners without insisting upon the no objection certificate to be obtained by them. The registering authorities concerned is further directed to receive and process the document in accordance with the Registration Act, 1908 and Indian Stamp Act, 1899 and if the document is in conformity with the provisions, thereafter register and release the document in accordance with the due procedure. It is also made clear that in the event of registering authority not being satisfied with the compliance under the Registration Act or the Stamp Act, appropriate refusal endorsement together with reasons shall be recorded and communicated to the petitioners in terms of Section 71 of the Registration Act. No order as to

costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 27-08-2015

Prv

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