

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.37080 OF 2015

ORDER :

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

The petitioner claims to be successor-in-interest to the extent of Ac.3.32 cents in Survey No.175/A of Angallu Village, Kurabalakota Mandal, Chittoor District. She states that under registered document bearing No.679 of 1931, dated 13.05.1931, her father stated to have purchased the said land and after his demise her mother succeeded the same. Thereafter, her mother alienated the said land to her husband's brother, who, after demise of her husband, executed a gift deed in her favour and as such she claims to have issued pattadar passbook and title deeds under 1B register showing that the land in question belongs to her. Now the petitioner seeks to alienate the said land. It is alleged that the 5th respondent is insisting for production of No Objection Certificate and not receiving the document for registration. Hence, the present writ petition is filed.

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 petitioner without insisting upon the No Objection Certificate to be obtained by her. 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 petitioner in terms of Section 71 of the Registration Act. No order as to costs.

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

VILAS V.AFZULPURKAR, J

16.11.2015

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