

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

WRIT PETITION No.24830 of 2015

BETWEEN

M. Abdul Malik

... PETITIONER

AND

1. The State of A.P. rep. by its Principal Secretary, Revenue
Department, Secretariat, Hyderabad, and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 07.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.24830 of 2015

ORDER:

The petitioner states that he intends to purchase Ac.1.02 cents of agricultural land in Sy.No.353-2/2C of Koduru Village, Chilamathur Mandal, Ananthapur District, and entered into agreement of sale dated 30.10.2014. The petitioner states that the said property is the ancestral property of his vendor and no governmental interest is involved. He produced the Adangal copy of the property before this Court. In pursuance of the agreement of sale, when the petitioner approached the 4th respondent for registration, the 4th respondent rejected to register the document asking him to obtain No Objection Certificate from the Revenue Authorities. Aggrieved by the action of the 4th respondent in refusing to register the document unless No Objection Certificate (NOC) is obtained from the revenue authorities, the present writ is filed.

2. Since the petitioner intends to purchase the ancestral property of his vendor and entered into agreement of sale and that the said land is not a land assigned under political sufferers or ex-serviceman category, insistence upon NOC by the respondents cannot be countenanced. The issue raised in this writ petition is squarely covered by the judgment of this Court in WP.No.17809 of 2015 and batch dated 22.06.2015.

3. In view of the same, following the aforesaid judgment, this writ petition is also disposed of directing the Registering authority concerned to receive and process the document presented by the petitioner without insisting upon No Objection Certificate to be

obtained by him. The Registering authority 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 of the aforesaid enactments, 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.

4. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR,J

7th August, 2015