

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

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W.P.No. 24053 of 2015

Between:

Syed Rahamathunnissa

... Petitioner

and

The State of Andhra Pradesh and others

... Respondents

DATE OF JUDGMENT PRONOUNCED: 3.8.2015

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? | No |
| 2 | Whether the copies of judgment may
be marked to Law Reports/Journals | No |
| 3 | Whether Their Ladyship/Lordship
wish to see the fair copy of the
Judgment? | No |

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 24053 of 2015

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ORDER:

Heard learned counsel for the parties.

The petitioner claims that she is the owner and possessor of to an extent of Ac.4-12 cents in Sy.No. 772 and extent of Ac.0-95 cents in Sy.No. 812/1, total extent of Ac.5.07 cents situated at Obulesunipalli village, Durgi Mandal, Guntur district and she intends to alienate the said land by way of sale. The petitioner also claims that the said land is a patta land and is not a land assigned under political sufferers or ex-serviceman category. The petitioner alleges that the fourth respondent is insisting her to get No-Objection Certificate from the third respondent. Challenging the same, the present writ petition is filed.

Since the petitioner claims that the land is a patta land and is not a land assigned under political sufferers or ex-serviceman category, insistence upon NOC cannot be countenanced. The issue raised in this writ petition is squarely covered by a judgment of this Court in WP.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 4th respondent-registering authority to receive and process the document presented by the petitioner without insisting upon no objection certificate. The 4th respondent-registering authority 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 procedure under the above laws. 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 thereof shall be recorded and communicated to the petitioner in terms of Section 71 of the Registration Act.

Miscellaneous applications, if any, shall stand closed. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 3.8.2015

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