

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

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WRIT PETITION No.22544 of 2015

BETWEEN

Smt. T. Lakshmi.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Secretary, Department of Revenue and Registrations, Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 21.07.2015

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SUBMITTED FOR APPROVAL:

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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 Reporters/Journals | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Petitioner seeks a direction to the fourth respondent to receive and process the document presented by her with regard to private property admeasuring 50 sq. yards along with house bearing H.No.15-318 situated at Renigunta Village and Mandal, Chittoor District.

2. Petitioner traces her ownership from 2006 from her predecessors in title, who ultimately trace their ownership having purchased the property in 1949 in a Court auction in E.P.No.101 of 1934 in O.S.No.1925. Petitioner states that only the latest pahani entry for Fasli 1424 mentions the nature of land as Government land and at no point of time earlier, there was any such entry regarding Government's interest in the property and as such, petitioner states that the action of the fourth respondent in insisting upon No Objection Certificate even before the presentation of document is not justified.

3. 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.

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 her. 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.

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

VILAS V. AFZULPURKAR, J

July 21, 2015
DSK