

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

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**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

**WRIT PETITION No. 40387 of 2015**

**BETWEEN**

Mullangi Subbarayudu Setty and others

**... PETITIONERS**

**AND**

The State of Andhra Pradesh, rep. by its Principal Secretary and others

**...RESPONDENTS**

Date of Order pronounced: 14.12.2015

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**ORDER:-**

Heard.

2. Petitioners claim that they are the absolute owners and possessors and pattadars of the land to an extent of Ac.3-59 cents out of Ac.10-79 cents in Survey No.507 and also land to an extent of Ac.0-95 cents out of Ac.5-80 cents in Survey No.636 situated in Chinnamandem Village, Rayachoti Sub-Division, Kadapa District. Petitioners' vendor had purchased the said property on 11.06.1942 and the ancestor of the petitioners have purchased from the said vendor on 06.07.1959. It is further stated that no Governmental interest is involved and the lands are purely patta lands. Petitioners intend to sell the said property to some third parties and thereby they have approached the fifth respondent.

But the first respondent has refused to register the same and has insisted for no objection certificate. Questioning the same, the present writ petition is filed.

3. In terms of Section 22A of the Registration Act, the Sub-Registrar has to examine whether the document presented by the petitioners is to be registered. However, he cannot refuse to receive the document on the ground of non production of no objection certificate.

4. Similar matters were considered by this Court in W.P.No.16384 of 2015 and batch, dated 11.06.2015, and also in W.A.No.1653 of 2013 dated 01.10.2013.

5. In the light of the above, this writ petition is disposed of directing the fifth respondent to receive and process the documents presented by the petitioners without insisting upon no objection certificate. The fifth respondent 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 documents 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 parties 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.

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VILAS V. AFZULPURKAR, J

December 14, 2015  
LMV