

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF JULY
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.21323 of 2015

BETWEEN

S.Nagashaker

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by the Commissioner and Inspector
General of Registration & Stamps, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:

Petitioner seeks to amend the relief sought for against the
Endowments Department, as the Endowments Department is not a party.
Petitioner is permitted to amend the relief accordingly. Writ petition is

entertained only so far as the action of respondent No.3 in insisting for production of the No Objection Certificate (NOC) from the revenue authorities i.e., respondents Nos.1 and 2.

2. Petitioner claims that the land, in question, which is proposed to be alienated, is a private patta/ancestral land and as such questions the action of the Registrar in insisting upon production of No Objection Certificate (NOC).

3. 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 authority concerned to receive and process the document presented by the petitioner without insisting upon the no objection certificate to be obtained by him. The registering authority concerned is further directed to receive and process the documents in accordance with the Registration Act, 1908 and Indian Stamp Act, 1899 and if the documents are in conformity with the provisions of the aforesaid enactments, 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 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 10, 2015
LMV