

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. 37751 of 2015

BETWEEN

Mirza Shakeela Begum and others

... PETITIONERS

AND

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

...RESPONDENTS

Date of Order pronounced: 20.11.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

1. Whether Reporters of Local newspapers Yes/No

may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No

marked to Law Reporters/Journals?

3. Whether his Lordship wish to see the Yes/No

fair copy of the Judgment?

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ORDER:-

Heard learned counsel for the petitioners and learned Government Pleader for Revenue.

2. Petitioners state that they are the absolute owners and possessors of land in survey Nos.545/46/2 admeasuring Ac.1-27 cents, survey No.545/19 admeasuring Ac.0-50 cents survey No.545/46/2 admeasuring Ac.1-00 situated at Ameenabad Village, Phirangipuram Mandal, Guntur District and survey No.248-1B admeasuring Ac.1-70 cents situated at Dokiparru Village, Medikonduru Mandal, Guntur District having acquired the same by virtue of DKT Patta vide patta Nos.44/1417 FAsli.

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 batch of cases were disposed of by this Court in W.P.No.16384 of 2015 and batch by order dated 11.06.2015, which was also confirmed 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.

VILAS V. AFZULPURKAR, J

November 20, 2015

LMV