

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

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WRIT PETITION No.24314 OF 2015

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Between:

L. Krishna Murthy

.. Petitioner

And

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

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 04.08.2015

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

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.24314 OF 2015

ORDER:

Heard.

The petitioner claims that he is the absolute owner and possessor of agricultural lands admeasuring Acs.2.30 cents in Survey No.308-2A and Ac.0.50 cents in Survey No.308-3B of Kappalabanda Village, Puttaparthi Mandal of Anantapur District. He submits that he inherited the said property as legal heir of his brother, L. Venkata Subba Rao, as he died unmarried. The petitioner intends to alienate the said property by way of sale. The present Writ Petition is filed alleging that 'No Objection Certificate' (NOC) is insisted upon by the Sub Registrar, Bukkapatnam, Anantapur District, the 4th respondent.

Since the petitioner claims that the lands are patta lands and they are not 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 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 'No Objection Certificate' to be obtained by him. The registering authority concerned is further directed to receive and process the document in accordance with the Registration Act, 1908 and the 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 Indian 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. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

04.08.2015

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