

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

* * *

WRIT PETITION No. 32152 of 2015

BETWEEN

S.Venkatappa

... PETITIONER

AND

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

...RESPONDENTS

Date of Order pronounced: 01.10.2015

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.

2. Petitioner states that the land to an extent of Ac.2-36 cents in survey No.18-3 of Yerragunta Village, Rapthadu Mandal, Anantapuram District is a private patta land and no government interest is involved therein nor land is notified under Section 22A of the Registration Act. However, alleging that the fourth respondent is refusing to receive the document of sale proposed to the petitioner and is insisting on obtaining no objection certificate, the present writ petition is filed.

3. *Prima facie*, since the land appears to be patta land and not notified under Section 22A, the registering authority is required to receive and process the document presented by the petitioner in accordance with law.

4. 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.

5. Following the aforesaid judgment, this writ petition is also disposed of directing the registering authorities 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 authorities 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 document is in conformity with the provisions, 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

October 1, 2015

LMV