

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.26284 of 2015

BETWEEN

Chikkala Vishalakshi.

... PETITIONER

AND

The Sub-Registrar, Madhuravada, Visakhapatnam District and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 26.08.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Petitioner has approached this Court by the present writ petition alleging that the first respondent is insisting upon No Objection Certificate even though the land of the petitioner being Ac.0.22 cents in Sy.No.83/Part situated in Paradesipalem village, Visakhapatnam District, is a private patta land and that when the petitioner seeks to alienate the said land, NOC from the revenue authorities cannot be insisted upon.

2. Learned Government Pleader has received instructions from the Joint Sub-Registrar, which state that the land covered by Sy.No.83/Part in an extent of Ac.0.22 cents, as claimed by the petitioner, is not covered by prohibitory list for registration under Section 22-A of the Registration Act nor there is any Court order for injunction and as such, the property is free for registration.

3. However, it is apparent from the averments that the petitioner has not presented the document before the first respondent.

Petitioner is at liberty to present the document and if such document is presented, the first respondent shall receive and process the same. The first 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 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 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.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

August 26, 2015
DSK

VILAS V. AFZULPURKAR, J