

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR
WRIT PETITION No.43054 OF 2015

ORDER:

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

The petitioner seeks to alienate the land admeasuring Acs.8.49 cents in R.S.No.3 of Venkatayapalem, Annavaram Village, Nuzvid, Krishna District. The petitioner states that the District Registrar, Mozam Jahi Market, Hyderabad, and the Sub-Registrar, Nuzvid, Krishna District, the 2nd and 3rd respondents, are not entertaining the document presented by him for registration.

The petitioner also states that his vendor holds title from 1975 for the said land and also claims that no Governmental interest is involved in it.

In terms of Section 22-A of the Registration Act, the Sub-Registrar has to examine as to whether the document presented by the petitioner is to be registered. However, he cannot refuse to receive the document on the ground of non-production of No Objection Certificate.

Similar matters were considered by this Court in W.P.No.16384 of 2015 and batch, dated 11.06.2015, and also in W.A.No.1653 of 2013 dated 01.10.2013.

In the light of the above, this Writ Petition is disposed of directing the 2nd and 3rd respondents to receive and process the document presented by the petitioner without insisting on production of No Objection Certificate. The 2nd and 3rd respondents are 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 same 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 parties 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

04.01.2016

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