

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.171 OF 2016

ORDER :

It is the case of the petitioner that her husband late Varadaiah Chetty, worked in Indian Army in the year 1947 onwards. After his retirement, assignment of land to an extent of 4.55 cents in Sy.No.399/3 of Rayalacheruvu Village, was made on 17.07.1980 vide DKT No.1-4-1996. The name of the petitioner's husband was found in the revenue records and also in 1-B register vide Khata number 265 and that pattadar pass books and title deeds were also granted in favour of the husband of the petitioner on 01.12.1988. After demise of the husband of the petitioner, she is drawing widow pension since October, 2000 onwards. When the petitioner wants to sell the said property, the respondent authorities are insisting to obtain No Objection Certificate from revenue authorities and refused to register the documents submitted for registration. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner, who submits that the Government of Andhra Pradesh has issued G.O.Ms.No.279, Revenue (Ass.I), dated 04.07.2016 stating that the Ex-Servicemen can alienate the assigned land, after a period of ten years from the date of such assignment, without obtaining No Objection Certificate, as such, respondents cannot insist the petitioner for obtaining No Objection Certificate from the competent authorities and the said submission is not disputed by the learned Assistant Government Pleader for Revenue.

In the facts and circumstances, the 2nd and 3rd respondents are directed to consider the case of the petitioner for registration of documents presented by her or her vendees, without insisting for No Objection Certificate and register the same, in terms of

G.O.Ms.No.279, Revenue (Assn.I) Department, dated 04.07.2016, if the same is otherwise in order.

Accordingly, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition, shall stands closed.

A.RAJASHEKER REDDY, J

15.07.2016

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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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