

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.25764 OF 2016

ORDER :

The case of the petitioner is that originally property admeasuring an extent of Ac.4-93 in Sy.No.304/7, 304/2B, 304/6, 304/5 & 304/4 of Vikruthamala Village, Yerpedu Mandal, Chittoor District, is Government and it was assigned to petitioner's mother under ex-Serviceman quota as a widow of ex-Serviceman vide DKT No.39/4/1408, dated 10.08.1998 with a condition not to alienate the land for a period of 10 years from the date of assignment. That after the death of petitioner's mother, petitioner succeed to the above said land.

2. The grievance of the petitioner is that when he intend to sell the said land and sought the market value particulars from the 4th respondent-Sub-Registrar, the same is refused on the ground that the land is included in the list of Government lands and insisting to obtain fresh NOC from the 3rd respondent to receive and process the document for registration. Hence, this writ petition.

3. Heard learned counsel for the petitioner and the learned Assistant Government for Revenue for the respondents.

4. Learned counsel for the petitioner submits that the Government in suppression of the earlier GOs on the subject matter issued GO Ms.No.279, dated 04-07-2016 dispensing with the grant of NOC in respect to assignment lands assigned to ex-servicemen and freedom fighters, where ten years period has elapsed from the date of assignment. In the light of this GO, after a period of ten years from the date of assignment, there is no

necessity to obtain NOC from the revenue authorities to alienate the assigned lands assigned to ex-servicemen and freedom fighters.

5. Learned counsel for the petitioner further also submits that this Court in WP No.23523 of 2016 considering similar fact situation issued directions to receive the document presented for registration and process the same, if it is otherwise in order. This submission of the learned counsel for the petitioner is not disputed by learned Assistant Government for Revenue.

6. In the circumstances, the writ petition is disposed of in terms of and for the reasons stated in the order passed in WP No.23523 of 2016. A copy of the order in the said writ petition be annexed with this order. Miscellaneous petitions, if any, pending in this writ petition, shall also stand disposed. There shall be no order as to costs.

Dated: 27.08.2016
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A.RAJASHEKER REDDY, J

