

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.1574 OF 2016

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ORDER:

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

The petitioner seeks to purchase a house site admeasuring 266 sq. yards in Plot No.6 in Survey No.382 of Kallur Village, Kurnool District, and traces his title through his vendor's sale deed No.12058 of 2005. Alleging that the Sub-Registrar, Kallur Village, Kurnool District, the 2nd respondent, is insisting on production of No Objection Certificate for receiving and processing the sale deed presented by the petitioner, the present Writ Petition is filed.

However, I do not see any reason why No Objection Certificate is sought for, as the subject land does not appear to be belonging to Ex-serviceman or political sufferer and the 2nd respondent cannot refuse to receive and process the document presented by the petitioner for registration.

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.

In view of the same, following the aforesaid judgment, this Writ Petition is also disposed of directing the registering authority concerned to receive and process the document presented by the petitioner without insisting on production of No Objection Certificate to be obtained by him. The registering authority concerned is further directed to receive and process the document in accordance with the Registration Act, 1908 and the 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 petitioner 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

21.01.2016

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