

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.11930 OF 2016

ORDER :

This writ petition is filed questioning the action of the 5th respondent in not receiving, register and release the documents presented by the petitioner in respect of land admeasuring in an extent of Ac.4-90 cents situated at Gudimallam Revenue Village, Yerpedu Mandal, Chittoor District, and in insisting NOC from the revenue authorities as being illegal, arbitrary and contrary to law and consequently direct the 5th respondent to entertain the sale deed presented by the petitioner in respect of the said land.

2. The case of the petitioner is that he is the assignee of the above said land vide DKT No.284/4/1415, dated 02-08-2005 under ex-serviceman quota. The grievance of the petitioner is that when he intend to sell the said land and sought the market value particulars from the 5th respondent-Sub-Registrar, Thottembedu, the same is refused on the ground that the land is included in the list of Government lands and insisting to obtain NOC from the revenue authorities 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.

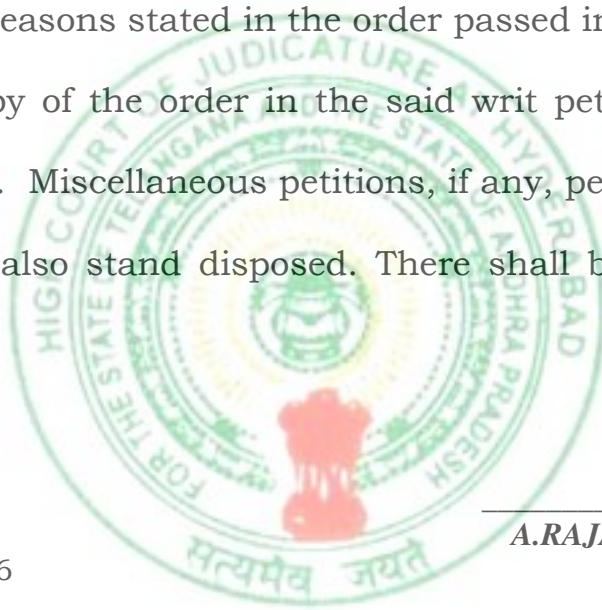
4. Learned counsel for the petitioner submits that the Government in suppression of the earlier GOs on the subject matter issued GO Ms.No.279, dated 04-07-2016 dispensing with the grant of NOC in respect to assignment lands assigned to ex-servicemen and freedom fighters, where ten years period has elapsed 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: 01.09.2016
NRG



A.RAJASHEKER REDDY, J

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY



W.P. No.11930 OF 2016

//WEB//

Date: 01-09-2016

NRG

