

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 1395 of 2017

ORDER:

The case of the petitioner is that he is the owner and possessor of the land admeasuring Ac.2.10 cents in R.S.No.1025/3, Ac.0.90 cents in R.S.No.1022/1, Ac.0.81 cents in R.S.No.1023/2, Ac.0.30 cents in R.S.No.1022/3, Ac.0.81 cents in R.S.No.1023/5, Ac.4.95 cents in R.S.No.1023/1, Ac.3.00 in R.S.No.1021/1 and Ac.0.50 cents in R.S.No.1022/4 situated at Pedavegi Village and Mandal, West Godavari District. The above said lands originally allotted to the ex-serviceman. While so, the petitioner with an intention to sell the said property, made an application dated 16.06.2015 to the 4th respondent seeking No Objection Certificate (NOC). As no orders are passed on the same, the present writ petition is filed.

Learned counsel for the petitioner relied on the judgment dated 11.08.2016 passed by this Court in W.P.No.24973 of 2016 and states that since the subject lands originally belong to the ex-servicemen, the respondents cannot insist for 'NOC' as per G.O.Ms.No.279, Revenue (Assn.I) Department, dated 04.07.2016.

In this case, it is to be seen that even according to the petitioner he has not approached the 5th respondent for registration of the documents. If petitioner is intending to sell the subject lands, he shall present the sale deeds before the 5th respondent and the 5th respondent shall receive the same, if the same are in order as per provisions of Indian Stamp Act and Registration Act and the Rules made thereunder and pass orders. In case, if he intends to reject the registration of the documents,

he shall record the reasons as per the provisions envisaged under Section 71 of the Registration Act, 1908 otherwise register the same.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.RAJASHEKER REDDY,J

17.01.2017
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