

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40841 OF 2016

ORDER:

It is the case of the petitioner that he is the absolute owner of land to an extent of Ac.1-00 cents in Sy.No.90/4B situated at Ayyaihvaram village, Dhubacherla, West Godavari District having purchased the same from original assignee by name V.Subba Raju vide registered sale deed dated 10-02-1978 and he was issued pattadar passbook and title deed. The subject land was assigned to the vendor of the petitioner under political sufferer category vide proceedings dated 01-11-1948 and when the petitioner wanted to dispose of the subject land, the 2nd respondent insisted for grant of NOC. It is the case of the petitioner that as per GO.Ms.No.279, dated 04-07-2016, once period of 10 years has expired from the date of assignment, there is no need for obtaining of NOC for alienation of said lands. But the 2nd respondent is insisting the same and not receiving the document filed by the petitioner. Aggrieved by the same, the present writ petition is filed.

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

GO.Ms.No.279, dated 04-07-2016 dispenses with the procedure of issuance of NOC in all cases of assignment of ex-servicemen, in which a period of 10 years has expired

from the date of assignment and also recites that all such lands can be deleted from the prohibitory list under Section 22-A of the Registration Act.

In view of the same, the 2nd respondent is directed to receive the document filed by the petitioner for registration and register the same by taking into account GO.Ms.NO.279, dated 04-07-2016, if the petitioner is able to show that subject land was assigned to his vendor under political sufferer category, if the same is in order as per the provisions of Indian Stamp Act and Registration Act and the rules made thereunder and if he wants to refuse the registration record reasons as envisaged under Section 71 of the Registration Act.

With the above direction, this writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

24-01-2017
Nvl



