

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.4189 OF 2017

ORDER:

The case of the petitioners is that they are the owners of the land admeasuring Ac.14-24 guntas, in Sy.No.308, situated at Duddeda Village, Kondapaka Mandal, Siddipet District (Old Medak District) having purchased through registered sale deeds vide Doc.Nos.8376 of 2004, 8377 of 2004, 8378 of 2004. Thereafter, 4th respondent issued pattadar passbook and title deeds in favour of the petitioners. While so, the petitioners intended to sell the subject land and accordingly, approached the 5th respondent for registration of the document, but the 5th respondent refused to entertain the document and insisted the petitioners to obtain No Objection Certificate (NOC) from the Revenue Department. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioners submits that as per the judgment rendered by this Court in W.A.No.1653 of 2013, the respondent authorities cannot insist for NOC unless that official concerned is authorized by law.

Heard the learned Assistant Government Pleader for Revenue.

In view of the above facts and circumstances and in view of the judgment in W.A.No.1653 of 2013, the 5th

respondent shall not insist for production of NOC for registration. Therefore, as and when the petitioners present their document for registration, the 5th respondent is directed to receive and register the same, if the subject land is not included in the list of prohibited properties under Section 22-A of the Registration Act and no injunction order prohibiting alienation of subject land granted by Court is in operation and if the same is in order as per the provisions of the Indian Stamps Act, 1899 and Registration Act, 1908. Otherwise, he shall records the reasons for refusal of registration as envisaged under Section 71 of the Act.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

21.03.2017
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