

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.29684 OF 2017

Date: 01.09.2017

Between:

Mungara Diwakar, S/o late M.Ramachandra Raju,
Retired Employee, Aged about 63 years,
R/o 12-1-780, Asif Nagar, Hyderabad.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its Principal
Secretary, Revenue (Stamps & Registration),
Secretariat, Velagapudi, Guntur District and
others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be the purchaser of the plot No.47, admeasuring 166.66 square yards in S.No.511-1A1 of B.K.Palle village, Madanapalle Municipality in Ward No.2 Segment-4, Madanapalle Revenue Mandal, on 26.09.2016. Petitioner contends that he intends to dispose of the said property and when he approached the registering authority, the registering authority insisted for production of No Objection Certificate. Aggrieved thereby, this writ petition is filed.

2. If what is stated by the petitioner is true, in September, 2016 the deed of sale, through which he purchased the property, was registered. Therefore, it is not clear as to how No Objection Certificate is now insisted. Be that as it may, so far no document is presented for registration. Question of acceptance of document or refusal to register would arise only when the document is presented. No material is placed on record to show that document is presented. Furthermore, according to Section 72 of the Registration Act, 1908, against order of refusal to admit the document, an appeal lies to the District Registrar.

3. Having regard to the statutory mandate and the facts noted above, the prayer as sought for by the petitioner cannot be granted at this stage. Leaving it open to the petitioner to work out his remedies including, if so advised, to present the document by complying with all requirements, writ petition is disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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