

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.280 OF 2018

ORDER:

The petitioner claims to be resident of Vikruthamala Village of Yerpedu Mandal, Chittoor District. Her husband was an Ex-serviceman and he was assigned land of an extent of Acs.4.95 cents situated in Survey No.506/2A under Ex-serviceman Quota. He died in the year 1999 and the petitioner has been receiving pension. Pattadar Passbooks and title deeds were issued in her favour and she wanted to sell the subject land to meet the marriage expenses of her daughter. The third respondent insisted the petitioner for obtaining No Objection Certificate (NOC) from the second respondent. Challenging the action of the third respondent in insisting for NOC, the present Writ Petition is filed.

The case of the petitioner is that she has been in possession and enjoyment of the land belonging to her husband, who was an Ex-serviceman and who was assigned the subject land more than 17 years ago. She states that she is entitled to sell the land and there is no prohibition for alienation of the land.

In such circumstances, when a document is presented to the third respondent and it fulfils the requirements of the Registration Act, 1908 ("the Act" for brevity), the third respondent has to receive the same and process it further in accordance with the provisions of the Act.

In the circumstances, the Writ Petition is disposed of directing the third respondent to receive the document to be presented by the petitioner for the purpose of sale of her land situated in Survey No.506/2A in an extent of Acs.4.95 cents or any

part thereof and process the said document, if it fulfils the requirements in accordance with the Act. If the subject land is included in the prohibited list of properties under Section 22-A of the Act or if there is any other objection, it is open to the third respondent to make an endorsement as per Section 71 of the Act. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(A.RAMALINGESWARA RAO, J)

24th January 2018
RRB

