

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.745 OF 2018

ORDER:

The petitioners are aggrieved by the Memo dated 01.12.2011 issued by the Commissioner and Inspector General of Registration & Stamps, Andhra Pradesh, the second respondent, and the consequential action of the Sub-Registrar, Vinukonda, Guntur District, in insisting upon production of a 'No Objection Certificate' (NOC) from the first respondent as a condition precedent for receiving and registering the document presented by the petitioners for registration.

The issue is no longer *res integra*. This Court had occasion to deal with the impugned Memo dated 01.12.2011 in WP.No.34689 of 2012. A copy of the order dated 12.12.2012 passed therein is placed on record. The impugned Memo dated 01.12.2011 appears to have been issued by the first respondent on the basis of the order passed by the Madras High Court in a contempt case. Taking note of the same, this Court held that unless a Court of competent jurisdiction has granted an injunction restraining alienation of the properties in respect of which documents were sought to be registered, the Registering Authority cannot refuse registration. The Writ Petition was therefore disposed of with directions.

For reasons alike as were mentioned in the said order, this Writ Petition is disposed of directing the Sub-Registrar, Registration & Stamps, Vinukonda, Guntur District, to receive and process the document presented by the petitioners for registration subject to the same fulfilling the requirements of the Registration

Act, 1908 and the Indian Stamp Act, 1899. The Sub-Registrar, Registration & Stamps, Vinukonda, shall complete the registration in accordance with law and release the document. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(A.RAMALINGESWARA RAO, J)

24th January 2018
RRB

