

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.7814 OF 2019

ORDER

The prayer of the petitioner company in this case reads as under:

‘For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon’ble High Court may be pleased to issue a writ, order, or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No. 3rd in insisting for No Objection Certificate from the revenue authorities for entertaining the document presented by the petitioner for registration in respect of the petitioner’s land in land in Sy.No.11/A admeasuring Ac.6-00 guntas, Sy.No.9/RU admeasuring Ac.9-01 guntas and Sy.No. 10/A admeasuring Ac.7-07 guntas, total admeasuring Ac.22-08 guntas, situated at Penchikalpad village, Bhongir Mandal, Yadadri Bhongir District, as illegal, arbitrary and contrary to the law laid down by this Hon’ble Court in W.A.No.1653/2013 and consequently direct the 3rd respondent to receive, register and release the document presented by the petitioner without insisting NOC from the revenue authorities in respect of the above said land pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.’

The learned Assistant Government Pleader for Revenue would state on instructions that the petitioner has not approached the Sub-Registrar, Bhongiri, Yadadri Bhongiri District, with a document for the purpose of registration.

The learned counsel for the petitioner would contest this claim.

In any event, in the light of the order dated 01.10.2013 of a Division Bench in W.A.No.1653 of 2013 holding that the demand for production of a No Objection Certificate is an arbitrary action and should

be dealt with firmly, it is made clear that the Sub-Registrar, Bhongiri, Yadadri Bhongiri District, shall not insist upon production of a No Objection Certificate by the petitioner in relation to the land covered by the document that she wishes to register. In the event the petitioner presents a document for registration, the Sub-Registrar, Bhongiri, Yadadri Bhongiri District, shall receive and process the same in accordance with the due procedure. If the said document is found to be in compliance with the requirements of the Registration Act, 1908 and the Indian Stamp Act, 1899, the Sub-Registrar, Bhongiri, Yadadri Bhongiri District, shall complete the registration formalities and release the document.

The writ petition is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

14th JUNE, 2019

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