

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WP Nos.40143, 40158, 40163, 40168, 40188, 40212,  
40226, 40235, 40236 & 40311 of 2012

Date : 31-12-2012

W.P.No.40143 of 2012

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Between:

Palagiri Hafeeza Begum  
Petitioner

..

And

The Principal Secretary, Revenue,  
Govt. of A.P., Secretariat, Hyderabad  
and others  
Respondents

..

Counsel for petitioner : Sri G. Bhaskar

Counsel for respondents : Assistant Government Pleader for  
Revenue

The Court made the following:

**COMMON ORDER:**

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These Writ Petitions are filed for a mandamus to declare the action of the registering authorities of the Stamps and Registration Department, Government of Andhra Pradesh, in insisting on production of No Objection Certificates (NOCs) as a pre-condition for receiving and registering the documents sought to be presented by the petitioners.

At the hearing, the learned Government Pleader for Revenue, submitted that under Memo No.49938/Regn/1/A1/2012-4, dated 6-12-2012, issued by the Principal Secretary to the Government, instructions were issued to the registering authorities not to insist on production of the NOCs and that in view of the said Memo, the registering authorities are no longer insisting on such NOCs. He has also submitted that while examining the documents received for registration, the registering authorities have been directed to consider whether

assignments, if any made, were prior to issuance of G.O.Ms.No.1142, dated 18-6-1954 wherein a condition of non-alienation of the assigned lands was incorporated for the first time so that if the assignments were made prior to the issuance of the said G.O., the documents may be registered and in other cases, registration may be refused.

In the light of the above submissions of the learned Government Pleader, the Writ Petitions are disposed of with the direction to the registering authorities not to insist on production of the NOCs for registering the documents. They are further directed to examine whether the lands in respect of which the documents are presented, pertain to assigned lands, and if so, whether such assignments were made prior to or after the issuance of G.O.Ms.No.1142, dated 18-6-1954, and take appropriate action for registering or refusing to register the documents depending upon the dates of assignment. Unless there is clear proof that assignments were made after 18-6-1954, the registering authorities shall not refuse to register the documents on the ground that the lands are assigned lands.

Subject to the above directions, the Writ Petitions are disposed of.

As a sequel, the applications filed seeking interim relief in these Writ Petitions are disposed of as infructuous.

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Justice C.V. Nagarjuna Reddy

Date : 31-12-2012

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