

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 12829 of 2011

ORDER:-

Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for the respondents. With the consent of both the parties, the main writ petition is heard and disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of the 2nd respondent in issuing the proceedings in Rc.A8/3080/2010 dated 18.10.2010 pursuant to the instructions of the 1st respondent and the consequent endorsement dated 24.03.2011 made by the 2nd respondent in refusing to accord permission to sell/register the land situated in Survey No.296/1 of Jaggaiahpetta Village, Krishna District, as illegal and arbitrary.

The petitioners claim to be the owners of land admeasuring Ac.0.04 cents each situated in Survey No.296/1 of Jaggaiahpetta Village, Krishna District. They intended to sell the land owned by them and, accordingly, approached the Sub-Registrar, Jaggaiahpetta - 4th respondent herein with a request to furnish the particulars of market value, stamp duty and registration charges. The 4th respondent informed the petitioners that the Revenue Divisional Officer, Vijayawada - 2nd respondent herein issued proceedings dated 18-10-2010 requesting all the

District Registrars within the area of operation, not to entertain the sale deeds in respect of the lands mentioned in the annexure. It is stated that on the basis of the instructions issued by the District Collector, Krishna District - 1st respondent herein, the 2nd respondent included various items on the ground that the lands are in relation to the declarations filed under A.P. Land Reforms (Ceiling on Agricultural Holdings) Act (for short 'the Act') and that cases are pending in relation thereto. The petitioners submit that though no proceedings under the Act are pending in relation to the lands in Survey No.296/1, still the 4th respondent is refusing to entertain the documents.

The issue as to whether a direction be given to the 4th respondent to receive and process the documents that are presented in respect of the lands carved out of Survey No.164/1 of Jaggaiahpetta Village, Krishna District, came up for consideration before this Court in W.P.No.30390 of 2011, which was allowed on 10.07.2012 directing the 4th respondent to receive and process the documents that are presented by the petitioners therein without any reference to the proceedings dated 18-10-2010 issued by the 2nd respondent.

The learned Government Pleader for Revenue, on instructions, submits that the order dated 10.07.2012 passed by this Court in W.P.No.30390 of 2011 has become final, as the same is not challenged.

Since the case of the petitioners stands on same footing

as that of the petitioners in W.P.No.30390 of 2011, the Writ Petition is allowed directing the respondents to receive and process the documents that are presented by the petitioners in respect of the lands carved out of Survey No.296/1 of Jaggaiahpeta Village, Krishna District, without any reference to the proceedings dated 18-10-2010 issued by the 2nd respondent. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

C. PRAVEEN KUMAR, J

8th July, 2015
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