

**IN THE HIGH COURT OF JUDICATURE
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

MONDAY THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND FIFTEEN

HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION NO. 24640 OF 2013

Between:

T. Swarna Latha ... Petitioner

V/s.

The Government of Andhra Pradesh
Represented by its Prl. Secretary
Revenue Department, Secretariat,
Hyderabad & Ors. ... Respondents

Counsel for the Petitioner : Sri Suresh Kumar Reddy Kalava

Counsel for the Respondents : GP for Revenue
Sri Shafath Ahmed Khan

The court made the following : [order follows]

HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION NO. 24640 OF 2013

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ORDER:

The petitioner prays for mandamus declaring the action of fifth respondent in refusing to register document No. P-36/2013 by the fifth respondent as illegal and amounts to refusing exercise of jurisdiction vested on the fifth respondent under the Registration Act.

2. The subject matter of the writ petition is Ac:0-16.66 cents in survey No. 2022 of Doddipally village, Piler Mandal, Chittoor district. At the time of hearing, it is brought to the notice of the court that survey No.2022 is covered by Gazette dated 28/06/1962 issued under the Wakf Act.

3. Having regard to the existence of Gazette and also rigour under section 22-A of the Registration Act, the learned counsel for the petitioner submits that inclusion in the Gazette of survey No.2022 is assailable in a properly instituted suit or proceedings, he requests the court to grant liberty to petitioner to pursue the legal remedies against the Gazette dated 28/06/1962.

4. Writ Petition is disposed of at the stage of admission by giving liberty to the petitioner to workout the legal remedies available against the Gazette notification dated 28/06/1962.

5. As a sequel, Miscellaneous Petitions if any, pending in this writ petition shall stand closed.

JUSTICE S.V. BHATT.

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