

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

WEDNESDAY, THE FIRST DAY OF APRIL,  
TWO THOUSAND AND FIFTEEN

:PRESENT:

**THE HON'BLE SRI JUSTICE S.V.BHATT**

WP .NO: 8980 of 2015

Between:

Pothuri Subbaiah S/o. Subba Rao,  
Occ: Business, R/o. 19-7-25/4, Srinivasa Nagar,  
Ganjipalem, Chirala, Prakasam District.

**..... Petitioner**

AND

- 1 State of Andhra Pradesh, rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
- 2 Collector & District Magistrate, Prakasam District at Ongole.
- 3 Revenue Divisional Officer, Ongole Division, Ongole, Prakasam Dist.
- 4 Tahsildar, Chirala Revenue Mandal, Chirala, Prakasam District.
- 5 Sub-Registrar, Chirala SRO, Chirala, Prakasam District.

**.....Respondents**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ/Order/Direction more particularly one in the nature of Writ of Mandamus declaring the impugned proceedings dt.10.03.2015 of the 5<sup>th</sup> respondent in refusing to register the document of the petitioner on the alleged ground of prohibition without observing the letter dt.07.02.2011 of the 4<sup>th</sup> respondent in respect of Sy.Nos.369/9, 10 and 11 to an extent of Ac.0-61 cents situated in Kothapalem, Chirala (M), Prakasam District is illegal, arbitrary, unjust, without jurisdiction and in violation of Art.14 of the Constitution of India and consequently direct the respondents to receive the document of petitioner for its process of registration in respect of Sy.Nos.369/9, 10 and 11 to an extent of Ac.0-61 cents situated in Kothapalem, Chirala (M), Prakasam District by setting aside the impugned refusal orders dt.10.03.2015 of the 5<sup>th</sup> respondent.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of Sri Srinivasulu Kurra, Advocate for the Petitioner and G.P. for Revenue (AP) for the Respondents, the Court made the following

**ORDER:**

**Post for admission on 15.04.2015.**

**Perused the material available on record. *Prima facie* it appears that the prohibition stipulated under Section 22-A of the Registration Act is being misused by the office of the Sub-Registrar, Chirala. The material further discloses that the petitioner's land has been shown as private patta land in the Register of Holdings being maintained by the Revenue Department.**

**With a view to appreciate issues canvassed in the writ petition, this**

**Court directs the 2<sup>nd</sup> respondent to file counter-affidavit by duly examining all the revenue records.**

**Office to communicate the docket order forthwith.**

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Hyderabad.
  - 2 The Collector & District Magistrate, Prakasam District at Ongole. **(By FAX/ Speed Post)**
  - 3 The Revenue Divisional Officer, Ongole Division, Ongole, Prakasam Dist.
  - 4 The Tahsildar, Chirala Revenue Mandal, Chirala, Prakasam District.
  - 5 The Sub-Registrar, Chirala SRO, Chirala, Prakasam District.
  - 6 One CC to Sri Srinivasulu Kurra, Advocate (OPUC)
  - 7 Two CCs to the G.P. for Revenue (AP), High Court, Hyderabad. **(By Spl. Messenger)**
  - 8 One spare copy.
- nnr

**HIGH COURT**

**SVB,J**

**DATED: 01-04-2015**

**NOTE: Post for admission on 15-4-2015**

**ORDER**

**W.P.NO. 8980        OF 2015**

**DIRECTION**

**HIGH COURT**

**Nnr  
Date of Drafting : 01-04-2015**

**SVB,J**

**DATED: 01-04-2015**

**NOTE: Post for admission on 15-4-2015**

**ORDER**

**W.P.NO. 8980 OF 2015**

**DIRECTION**