

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH  
(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JULY  
TWO THOUSAND AND FIFTEEN  
PRESENT

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

**WRIT PETITION No.17729 of 2015**

**BETWEEN**

Lakshminarayanamma.

**... PETITIONER**

**AND**

The State of A.P., Rep. by its Principal Secretary, Stamps and Registration  
Department, Secretariat, Hyderabad and others.

**...RESPONDENTS**

**Counsel for the Petitioner: MR. N. ASWARTHA NARAYANA**

**Counsel for the Respondents: GP FOR REVENUE (AP)**

**The Court made the following:**

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**ORDER:**

Petitioner's grievance is that the fifth respondent is not entertaining the  
document presented by her seeking to alienate an extent of Ac.0.06 cents in

Sy.No.503 of Dharmavaram Village and Mandal, Anantapur District.

2. Petitioner states that her vendor was assigned Ac.0.10 cents of land in the said survey number on payment of market value and a copy of the assignment patta dated 15.06.1981 is also produced. Petitioner states that she has purchased Ac.0.06 cents out of Ac.0.10 cents under sale deed dated 20.11.1996, that sale deed was registered. Petitioner now intends to alienate the said land but, however, the fifth respondent is stated to be not receiving any sale deed presented by the petitioner on the ground that the land is notified as assigned land.

3. Learned Government Pleader has received instructions from the fourth respondent/Tahsildar, which states that as per the verification in the R.S.R. (Diglot) of Dharmavaram village, the entire Sy.No.503 to the extent of Ac.19.58 cents is classified as Government land and the layout was approved for Ac.19.58 cents for issuing of 209 house pattas to the beneficiaries on payment of market value at 15% per cent dispensing with the sale in public auction under board's standing order 21-14 and subject to payment of ground rent of the sites as per rules. Accordingly, the District Collector, Ananthapuramu has directed the Tahsildar, Dharmavaram to issue D.form pattas imposing normal conditions under house site rules to all the 127 individuals @ 0.10 cents each duly collecting the market value of the site from the assignees vide orders of the District Collector, Ananthapuramu proceedings R.Dis.No.13030/74 dated 07.10.1974.

4. From the instructions aforesaid, it is apparent that to the extent of house sites assigned on collection of market value, the said land cannot any more be called assigned land. However, the conditions incorporated in terms of patta of the vendor of the petitioner show under conditions 9 and 12 that not alienation is permissible within 10 years unless the Revenue Divisional Officer permits. Since the assignment is of June 1981, much more than 10 years period has expired, apart from the fact that the house site was assigned on payment of market

value. Hence, the land cannot be treated an assigned land any more.

5. The fifth respondent, therefore, shall entertain the document of sale, if presented by the petitioner with respect to the aforesaid land of Ac.0.06 cents in Sy.No.503 and process the same in accordance with law with regard to compliance under the Stamp Act and the Registration Act and if it is otherwise in order, register and release the document. It is also made clear that mere registration of the document would not give warranty of title and if the Government still asserts its title to the said land, the Government is at liberty to take appropriate steps and mere registration permitted hereinabove would not affect the title of the Government.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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VILAS V. AFZULPURKAR, J

July 13, 2015  
DSK