

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.30088 of 2015

ORDER:

Heard.

The grievance of the petitioner is that when she presented the document relating to the land admeasuring Ac.5-00 in Sy.No.122/2 situated at Gadela Village fields, Obulavaripalli Mandal, Y.S.R.District, the 5th respondent declined to receive the same on the ground that the said land is in the prohibited list. The petitioner asserts in the affidavit that the aforesaid land is purely private patta land and she is in possession and enjoyment of the same since time immemorial and her name is also mutated in the revenue records and pattadar passbooks and title deeds were also issued in her favour.

When the writ petition came up for hearing on 16-09-2015, the learned Government Pleader was required to get instructions.

Today, the learned Government Pleader, on instructions, submits that as per RSR record, the land admeasuring Ac.5-00 cents in Sy.No.122/2 is recorded as patta land and stands in the name of one Sri Gaobbi Yeddhulaiahgan Gangaiah. The enquiry further revealed that the husband of the petitioner viz., V.Srinivasula Reddy purchased the said land from the said owner and he has been issued pattadar passbooks and title deeds. After the death of the husband of the petitioner in the year 2011, the pattadar passbooks and title deeds are changed in the name of the petitioner.

The instructions, therefore, clearly state that the land in question is not recorded as Government land and it is a patta land.

In view of the said categorical statement on behalf of the revenue authorities, there is no reason why the 5th respondent is not accepting the document presented by the petitioner, as the same relates to the patta land of the petitioner in

Sy.No.122/2 to an extent of Ac.5-00 cents situated at Gadela Village fields, Obulavaripalli Mandal, Y.S.R.District.

The writ petition is, therefore, disposed of directing the 5th respondent to receive and process the document presented by the petitioner for registration in relation to the subject property. In the event the 5th respondent is of the opinion that the document warrants refusal of registration, he shall pass appropriate orders duly recording the reasons for such refusal in accordance with Section 71 of the Registration Act. If, however, the document is found to be complied with all legal requirements, he shall register the same and release it in accordance with due procedure. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed

VILAS V.AFZULPURKAR, J

Date: 02-11-2015

Prv

