

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

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WRIT PETITION No.20158 of 2015

BETWEEN

Sasarapu Butchi Durga Rao.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Secretary, Registration & Stamps
(Revenue) Department, Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 20.07.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers
may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be
marked to Law Reporters/Journals | No |
| 3. | Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | No |

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ORDER:

Petitioner claims to be owner of house situated in Ward No.13, Block No.43, Assessment No.8871, Town Sy.No.188G admeasuring 139.3 sq yards situated at North side of Agraharam Street main road, Bobbili Municipality, Vizianagaram District. Petitioner intends to mortgage the said house for the purpose of obtaining loan, however, alleging that the third respondent is refusing to receive the document proposed on the ground that the land is under prohibited category and is a Government land, the present writ petition is filed.

2. Similar issue with regard to the very same survey number was considered by this Court in WP.No.27928 of 2014 and disposed of by order dated 02.03.2015. With regard to Gramakantam lands, this Court, while taking note of G.O.Ms.No.187 dated 27.05.2015, considered the issue in W.P.No.15645 of 2015 dated 05.06.2015. Operative portion whereof is as follows:

“Learned Government Pleader for Revenue has produced copy of G.O.Ms.No.187, dated 27.05.2015 wherein the Government of Andhra Pradesh had withdrawn the grama kantam lands from the purview of Section 22-A of the Registration Act to remove the hardship to the general public and it has also referred to the decision of this Court, dated 09.07.2012 in W.P.No.553 of 2012.

In view of that, therefore, even if the lands, in question, are grama kantam lands, there is no impediment for receiving and processing the documents by the 2nd respondent in respect of the said land. A reference is also made to the order of this Court in W.P.No.1339 of 2014, dated 06-03-2014.

In view of that, the writ petition is disposed of directing 2nd respondent to examine the aforesaid decision as well as the G.O., referred to above, and thereafter receive the documents presented by the petitioners as referred to above and process the same in accordance with law. No order as to costs.”

Following the same, this writ petition is also disposed of directing the third respondent to examine the aforesaid decision as well as the G.O., referred to above, and thereafter receive the document presented by the petitioner, as referred to above and process the same in accordance with law. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 20, 2015
DSK