

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 9050 of 2015

ORDER:

The grievance of the petitioners is limited to the extent of the 2nd respondent-Collector not passing orders in accordance with law on the representations made by them on 18.04.2013, 20.09.2014 and 24.02.2015 for issuance of No Objection Certificate (NOC) for the lands admeasuring Ac.4-97 cents in Survey No.169/2 of Chennaiahgunta village, Tirupati Urban mandal, Chittoor district, inspite of reports dated 20.05.2013 and 03.06.2013 submitted by respondents 4 and 5, respectively.

2. It is the contention of the petitioners that the lands are private patta lands and the Government has nothing to do with the subject lands and the petitioners purchased these lands in the year 2004 through registered sale deeds for consideration from their predecessors in title. As a matter of fact, the enquiry was conducted and the fact that these lands are not Government lands also came to be determined. Necessary enquiries conducted by the respondent authorities leave no manner of doubt that the land is a private patta land and is not Government land.

3. Considering the limited prayer which is made by the petitioners, on 01.04.2015, learned Government Pleader was directed to get instructions and the learned Government Pleader on instructions submits that the land in Survey No.169 is Government land and as such the Collector issued proceedings dated 23.10.2010 to the Registrar Stamps and Assurances, Tirupati, with a direction not to entertain any registration in these lands until further orders.

4. In the light of respective contentions of the parties and the specific assertion of the petitioners that the land is not a Government land and as the petitioners are stated to have clearly and categorically set out in their representation with regard to the aspect as to how the subject land is not a Government land, interest of justice would be served by directing the 2nd respondent to take into consideration of the representation made by the petitioners and verify with the records the claims of the petitioners and thereafter pass necessary orders, in accordance with law. The entire exercise shall be completed within a period of three months from today.

5. With the above direction, the writ petition is disposed of. No order as to costs. Pending miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J

13th April, 2015

ksm