

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.20009 of 2015**

**BETWEEN**

Puvvada Satyanarayana.

**... PETITIONER**

**AND**

State of A.P., Rep. by its Principal Secretary to Revenue (Stamps and  
Registration) Department, Secretariat, Hyderabad and others.

**...RESPONDENTS**

**Counsel for the Petitioner: MR. NAGA PRAVEEN VANKAYALAPATI**

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

**The Court made the following:**

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**ORDER:**

Present writ petition is filed alleging that the fourth respondent/Sub-  
Registrar is refusing to receive and register the sale deed presented by the

petitioner to the extent of Ac.0.78 cents and Ac.0.55 cents in Sy.Nos.434/9 and 434/11 total admeasuring Ac.1.33 cents in Chiralanagar, Chirala Revenue Village and Mandal, Prakasam District.

2. Petitioner states that even before he purchased the aforesaid property, an objection was raised and at that time, the vendor of the petitioner approached this Court in WP.No.5700 of 2012, which was disposed of on 01.03.2012 directing the concerned Revenue Divisional Officer to furnish particulars of assignment of the land and specifically communicate whether the assignment of petitioner's vendor was prior to 18.06.1954 so as to ascertain whether there can be any prohibition with respect to alienation of land under Section 22-A of the Registration Act. It appears that while the RDO did not submit any such particulars in compliance of the directions, the vendor of the petitioner filed a contempt case viz. CC.No.1428 of 2012 whereupon the RDO furnished the endorsement dated 31.01.2013 to the petitioner's vendor informing that the assignment in that case was made prior to 1954. After recording the said submission on behalf of the RDO, the contempt case was closed on 01.02.2013 leaving open for the petitioner therein to work out his remedies.

3. Pursuant to the said clarification, the petitioner's vendor executed a sale deed in favour of the petitioner on 07.03.2013, which was duly registered vide document No.2089 of 2013.

Petitioner now intends to alienate the land, as mentioned above and for that purpose, approached the fourth respondent for market value certificate. Though the fourth respondent had furnished the said certificate to the petitioner, it still contains an endorsement that the said land is shown in the prohibited category as per the letter of the Tahsildar. It is on account of the said endorsement, the petitioner has approached this Court by the present writ petition.

4. As is evident from the facts, noted above, in the earlier writ petition

filed by the vendor of the petitioner, the Tahsildar was a party and the writ petition was disposed of with directions and subsequently, in the contempt case, the RDO clarified that the assignment in this case was prior to 18.06.1954. In view of that, therefore, the lands ceased as assigned lands and that is how the sale deed executed in favour of the petitioner by his vendor on 07.03.2013 was registered.

It is, therefore, not open for the Tahsildar or the Sub-Registrar to once again raise the very same objection, if the petitioner presents the document for registration of the land covered by the aforesaid survey number. However, evidently the petitioner has not yet presented the document, which he intends to execute. Hence, it is open for the petitioner to present the document before the Sub-Registrar, who shall examine the same and shall not refuse to receive, process and register the sale deed on the ground that the land continues to be an assigned land. The Sub-Registrar is free to examine the document on the point of compliance under the Registration Act or the Stamp Act and act accordingly.

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