

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.9311 of 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents.

2. In this Writ Petition, the petitioner has questioned order No.9 of 2016 dt.06-02-2016 passed by 3rd respondent refusing to register a document presented by the petitioner.

3. In the said order, 3rd respondent has stated that the subject land is assigned land as per the list communicated by Tahsildar, Guntur Mandal, Guntur District on 30-08-2010 which is prohibited from registration under Section 22-A (i) (a) of the Registration Act, 1908.

4. Learned counsel for the petitioner has placed before me a copy of judgment of this Court reported in **District Collector, Anantapur District Vs. M.Sadasiva Reddy**^[1] in W.A.No.1063 of 2013 and batch dt.19-01-2016 wherein this Court had issued certain directions in relation to assigned lands specifically which had been assigned prior to 1954.

5. Learned Government Pleader for Revenue does not dispute the same.

6. I therefore feel that 3rd respondent should consider the principles laid down in the said judgment and then consider whether to register the document presented by the petitioner or not.

7. Therefore the impugned order dt.06-02-2016 in refusal order No.9 of 2016 passed by 3rd respondent is set aside; and the matter remitted back to 3rd respondent to consider the matter in the light of the judgment of this Court in **M.Sadasiva Reddy's case** (cited supra) and if he is not inclined to register the document presented by the petitioner, he shall pass a fresh order under Section 71 of the Registration Act, 1908 within a period of four weeks from the date of receipt of a copy of this order and communicate his decision thereon to the petitioner.

8. Accordingly, the Writ Petition is disposed of.
No costs.

9. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 22-03-2016

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[\[1\]](#) 2016 (2) ALT 160 (D.B.)