

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

WRIT PETITION No.34943 OF 2015

O R D E R :

The 2nd respondent issued impugned endorsement refusing registration of the document submitted by the petitioner on the ground that the subject land is classified as Gramakantam land but the said survey number was not included in the Gramakantam List furnished by the 3rd respondent. Reference is made to the list of assigned lands/Gramakantam Lands furnished by the 3rd respondent on 17.07.2008.

2. The Government Pleader for Revenue appearing for the respondents states that the 3rd respondent has sent him instructions that the subject land is a 'Village Site Poramboku'.

3. It is settled law that an order passed by a quasi judicial authority has to be supported on the basis of the reasons it contained and new reasons cannot be furnished to sustain the said order (***Commissioner of Police v. Gordhandas Bhanjii***^[1]).

4. This Court in ***Voonna Bangaraju v. Government of Andhra Pradesh and others***^[2] has categorically held that Gramakantam land is not government land and hence the impugned endorsement of refusal No.1 of 2015 dt.05.10.2015 passed by the 2nd respondent cannot be sustained.

5. Therefore, this Writ Petition is allowed; the

impugned endorsement of refusal No.1 of 2015 dt.05.10.2015 passed by the 2nd respondent is set aside; the 2nd respondent is directed to release the document presented under P.No.145/2015 dt.30.09.2015 in accordance with the provisions of the Registration Act, 1908; and if he does not wish to register the document, he shall pass a reasoned order under Section 71 of the Act giving reasons why he does not wish to register the said document within a period of four (04) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

6. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

28th April, 2016.

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[\[1\]](#) AIR 1952 SC 16

[\[2\]](#) 2014(3) ALD 443