

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.1897 OF 2016

ORDER:

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

The petitioner states that she purchased the lands in Survey Nos.5/1 and 5/2 admeasuring Acs.7.33 cents and Acs.6.54 cents respectively situated at Gajularega Village, Vizianagaram Mandal, from one M. Vishalakshi vide sale deed dated 19.08.1996. Her grievance is that the said lands are erroneously included in the list sent to the Registration Department by the Tahsildar, Vizianagaram Mandal and District, the 4th respondent, showing that the said lands are assigned lands. The petitioner relies upon a decision of this Court in S.A.No.928 of 1960, dated 16.10.1963, wherein it is held that the said lands are private patta lands of one Smt. M. Vishalakshi and therefore requested the 4th respondent as well as the Revenue Divisional Officer, Vizianagaram Mandal and District, the 3rd respondent, to correct the list under her representations dated 16.08.2013 and 21.02.2014. Alleging that no action is taken on the said representations, the present Writ Petition is filed.

It is evident from the record that the petitioner is aggrieved by the inclusion of her lands in the prohibited list sent by the 4th respondent to the Registration Department. However, the remedy of the petitioner lies under Section 22-A of the Registration Act. A Full Bench of this Court in W.A.No.343 of 2015 and batch has already directed revision of the entire list sent under Section 22-A of the Registration Act and the District Collector, Vizianagaram District, the 2nd

respondent, is required to verify the lands included in the said list before sending the revised list. Since the said exercise is pending, it is appropriate to permit the petitioner to make a detailed representation to the 2nd respondent, who shall consider the same in the light of the directions issued by this Court in Full Bench decision in W.A.No.343 of 2015 and batch and take appropriate decision in the matter.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V. AFZULPURKAR, J

25.01.2016

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