

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.40795 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Nos.2 to 4 in including the land in an extent of Ac.0.46 cents out of the total extent of Ac.0.92 cents situated in Sy.No.287 of Greampet Revenue Village, Chittoor Mandal, Chittoor District in the list of Assigned/Government lands and the consequential action of the respondent No.6 in refusing to register the Sale Deed vide order dated 01.02.2016 for registration basing on the list of Assigned/Government lands furnished by the Respondent No.4 as arbitrary, illegal, contrary to the provisions of the Registration Act, 1908 and settled principles of legal position apart from being violative of the fundamental and Constitutional rights guaranteed to petitioner under Articles 14, 19, 21 and 300-A of the Constitution of India and consequently set aside the list of Assigned/Government lands insofar as the land in an extent of Ac.0.46 cents out of the total extent of Ac.0.92 cents situated in Sy.No.287 of Greampet Revenue Village, Chittoor Mandal, Chittoor District furnished by the Respondent No.4 and also set aside the refusal order dated

01.02.2016 passed by the 6th Respondent by duly directing the Respondent No.6 to entertain the Sale Deed for registration for the same.”

3. Learned counsel for the petitioner raised various grounds claiming the right and title of the petitioner herein over the subject property. It is to be noted that Full Bench of this Court while dealing with the said aspect observed that if any dispute is raised with regard to inclusion of the property in the prohibitory list, the petitioner shall have an option of making an application to the District Collector for deletion of the property from the Prohibitory List.

4. In view of the above, the petitioner seeks liberty to avail the remedies available under law.

5. In view of the above, the Writ Petition is disposed of giving liberty to avail remedies, if any, available under law.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:24.11.2016
INL