

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.30605 of 2016

ORDER:

The petitioners purchased land to an extent of Ac.09-04 cents in Sy.No.244-1 of Edulaballapuram Village of Somendapalli Mandal, Anantapuram District from one Thimmaiah who was assigned above lands in the year 1929 and presented the sale deeds before the 4th respondent in respect of an extent of Ac.04-50 cents in the name of 1st petitioner and the same extent in the name of 2nd petitioner. The 4th respondent received the documents and kept document pending in P.Nos.144/2015 and 143/2015. Aggrieved by the same, the petitioners preferred appeal before the 3rd respondent in Appeal Nos. 19 and 20 of 2016 under Section 72 of Indian Stamps Act. The 3rd respondent expressed his inability to adjudicate the matters on the ground that the 2nd respondent included the above lands in prohibition list published under Section 22-A of the Registration Act (for short "the Act"). Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioners submit that since lands were assigned prior to 1930 and there is no condition of prohibition of alienation of the same by that time, the same could not be included in the prohibited list under Section 22-A of the Act.

Heard learned Assistant Government Pleader for Revenue.

Since it is stated that the appeals filed by the petitioners are pending before the 3rd respondent, the petitioners can raise all these facts before the 3rd respondent and the 3rd respondent shall consider the same and pass appropriate orders in accordance with law. Basing on the same, it is for the 4th respondent to take further action. The said exercise shall be done within a period of four (04) weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

14-09-2016
Nvl





