

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.27600 of 2012

ORDER:

Petitioner prays for Mandamus declaring the action of respondents in refusing to entertain Gift Deed presented for registration in respect of land in Sy.No.25 of Thakkikana Village, Uppal Mandal, Ranga Reddy District, on the ground that Sy.No.25 forms part of surplus holding of declarants under the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'the Act') as illegal, arbitrary and unconstitutional.

Petitioner contends that Sy.No.25 was covered by declaration filed in Case No.H1/7422/76. On 18-03-2014 in W.P.No.3982 of 2010 proceedings in File No.H1/7422/76 under Sections 8(1) to 10(5) of the Act have been set aside. Therefore continuing to treat Sy.No.25 as forming part of surplus holding is unsustainable.

The Assistant Government Pleader admits that when there is order of this Court quashing various proceedings in File No.H1/7422/76, the respondents cannot treat Sy.No.25 as surplus land vested in Government. On instructions, he submits that on 28-02-2014 the respondents have addressed letter to all the authorities informing that Sy.No.25 no more is Government land.

His statement is placed on record.

Having regard to the above admitted position, the writ petition is ordered as follows:-

(a) The petitioner is given liberty to submit Gift Deed for registration in respect of land in Sy.No.25 of Thattikana Village, Uppal Mandal, Ranga Reddy District, to 3rd respondent.

(b) The 3rd respondent is directed to receive document, process the same under the provisions of Registration Act and Stamp Act, pass appropriate orders without reference to communication from respondents 2 and 3 that the subject land is surplus Government land.

Miscellaneous petitions, if any, pending shall stand closed.
No order as to costs.

Dt: 15-09-2016
Prv



S. V. BHATT, J

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Prv

