

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.9947 OF 2016

ORDER :

Petitioner questions the letter No.B/1125/2012, dt.04.06.2012 of the 3rd respondent addressed to the 4th respondent for inclusion of land of an extent of Ac.10.00 guntas in survey No.267 of Masaniguda Village, Shankarpally Mandal, R.R. District by making an entry in the Prohibition Register under Section 22A of the Registration Act, 1908(for short 'the Act').

2. The Government Pleader for Revenue appearing for the respondents states that as per the decision of the Full Bench of this Court in ***Vinjamuri Rajagopala Chary and others v. State of Andhra Pradesh rep. by Principal Secretary, Revenue Department, Hyderabad and others***^[1] no such prohibitory list is necessary, since the Full Bench has taken a view that no notification contemplated by Section 22-A (2) of the Act is necessary with respect to properties falling under Clauses (a) to (d) of sub-Section (1) of Section 22-A of the said Act.

3. Therefore, the Writ Petition is allowed; it is declared that the impugned communication dt.04.06.2012 addressed by the 3rd respondent to the 2nd respondent has no legal validity, and it is accordingly set aside, insofar as the petitioner is concerned. Petitioner is therefore at liberty to present documents for alienation of the land allegedly belonging to him in the said survey number to the 4th respondent. If any such document is presented, the 4th respondent shall consider the same for the purpose of registration in accordance with law, and if he wishes to refuse it, he shall pass an order under

Section 71 of the Act, giving reasons why he does not want to register it and communicate the same to the petitioner within a period of four (04) weeks from the date of presentation of the documents by the petitioner. There shall be no order as to costs.

4. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

31st March, 2016.
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[\[1\]](#) 2016(1) ALT 550 (F.B.)