

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITIONS No. 23648, 23652, 23655, 25973 & 26046 of 2016

COMMON ORDER:

All these Writ Petitions have been filed seeking a *mandamus* for declaring the orders of the 3rd respondent dated 23.12.2015, by which the documents submitted for the purpose of registration in respect of various extents of land situated in Survey No.183/2 of Pathatungapadu Village of Radheyapalem Panchayat, have been refused, on the ground that the said lands belongs to Endowments Department and that they fall under the purview of Section 22(A)(1)(c) of the Indian Registration Act, 1908, as illegal and arbitrary.

Heard learned counsel for the petitioners as well as learned Government Pleaders for Revenue and Endowments (Andhra Pradesh) on behalf of the respondents.

Learned counsel for the petitioners submits that the letter dated 19.06.2012 addressed by the Assistant Commissioner to the Commissioner, Endowments Department would clearly reveal that as per Section 38 Register, the temple does not have any land in Survey No. 183/2 of Patatungapadu Village.

This Court vide its order dated 04.12.2015 in Writ Petition No. 33109 of 2015 set aside the refusal order dated 25.10.2008 and directed the 3rd respondent therein to consider the 'No Objection Certificate' and process and finalize the registration with regard to pending document No. 350 of 2015. However, in the Judgment dated 23.12.2015 in Writ Appeal No. 343 of 2015 and batch of cases, the Full Bench has summarized the conclusions and issued several directions. In terms of the Full Bench Judgment, so far as the lands falling within the scope and purview of Section 22-A(1)(a) to (d), no notification is required and it is required to be published in the Gazette. In other words, mere intimation from the department concerned that the lands belonging to the respective parties would suffice and the registering authorities are required not to register the documents falling within that category. The aggrieved party is required to approach the Committee which is directed to be constituted seeking

recall of such communication. A direction was also issued to constitute a Committee by both the States of Andhra Pradesh and Telangana. So far as the State of Andhra Pradesh is concerned, such Committee has already been constituted by issuing G.O.Ms.No. 300, dated 05.07.2016. In those circumstances, the respective parties are required to approach the Committee. The Full Bench has also clarified that it is the directions issued in the judgment rendered by them that would prevail over the directions, if any issued by the learned Single Judges.

In those circumstances, the petitioners, if choose may approach the said Committee within 12 weeks from the date of receipt of a copy of this order.

With this order, all the Writ Petitions stand disposed of. No costs.

Consequently, the Miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J.

05th August 2016

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