

**THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA
RAO**

WRIT PETITION No.13187 of 2016

ORDER:

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The petitioner has assailed an order dt.26-10-2015 being the Refusal No.434/2015 in relation to pending document No.217/2015 refusing to register the said document.

2. Petitioner contends that the assignment in the present case was made for the first time before 1954 in the year 1922 and that there was an alienation on 28-04-1943 and the action of 3rd respondent in refusing to register the sale deed in respect of the subject land runs contrary to the decision in **District Collector, Anantapur District Vs. M. Sadasiva Reddy**^[1] wherein this Court has held that a notification under Section 22-A(1)(e) of the Registration Act, 1908 (for short 'the Act') is necessary if the Government intends to include the lands assigned prior to 1954 in the prohibitory list. Learned counsel for petitioner contends that there is no such notification issued under Section 22-A(1)(e) of the Act.

3. The impugned order has been passed by 3rd respondent without referring to the above decision of this

Court, which is binding on the respondents.

4. Therefore the impugned order is set aside and the matter is remitted back to the respondents to consider afresh to register the document submitted by petitioner in the light of the decision of this Court referred to above, within four (04) weeks from the date of receipt of a copy of this order and 3rd respondent shall communicate his decision thereon to petitioner within the above time.

5. The Writ Petition is disposed of with the above directions. No costs.

6. As a sequel, miscellaneous petitions pending if any, in this Writ Petition shall stand closed.

JUSTICE M.S. RAMACHANDRA RAO

Date: 20-04-2016

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[\[1\]](#) 2016(2) ALT 160 (DB)