

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11774 OF 2017

ORDER

The case of the petitioners is that they are the owners of the land admeasuring Ac.2.92 comprising an extent of Ac.1.11 in Sy.No.623-A2, ac.0.92 in Sy.No.621-A2, Ac.0.53 in Sy.No.621-C1 & Ac.0.36 in Sy.No.622-Ci situated at Chinna Polamada Village of Tadipatri Mandal, Anantapur District having purchased the same through a registered sale deed and they were also issued pattadar passbooks and title deeds in their favour. In respect of the land to an extent of Ac.1-11 in Sy.No.623-A2, the District Collector addressed a letter dated 03.02.2009 stating that it is a patta land and can proceed further for registration of the same. As far as the other lands in Sy.Nos.621-A2, 621-C1, 622-C1 are concerned, the Tahsildar after due enquiry addressed a letter dated 01.12.2015 to the District Collector informing that the said lands are neither assigned lands nor Government lands and hence the same can be deleted from the list of prohibited properties. In spite of the same, no action has been taken for deletion of the subject lands from the list of prohibited properties. Aggrieved by the same, the present writ petition is filed.

Heard Sri D.Vijay Kumar, learned senior counsel for the petitioners.

Learned Assistant Government Pleader for Revenue submits that as per the Full Bench judgment reported in ***Vinjamuri Rajagopala Chary Vs. State of A.P., represented by its Principal Secretary, Revenue Department, Hyderabad and***

others¹ , the District Collector is the competent authority for inclusion or deletion of the lands from the list of prohibited properties issued under Section 22-A of the Registration Act, 1908.

In view of the above, it is open for the petitioners to make a representation to the 2nd respondent stating the above facts along with necessary documents and on such representation, the 2nd respondent is directed to dispose of the same in terms of the Full Bench judgment stated supra, by taking into account the proceedings dated 01.12.2015 addressed by the Tahsildar to District Collector through Revenue Divisional Officer vide Rc.No.270/2015/A and also the proceedings dated 03.02.2009 addressed by the District Collector to the Sub-Registrar vide D.Dis.No.E4/596/2009 and take action accordingly. The said exercise shall be done within a period of two (02) months from the date of making of representation by the petitioners.

With the above direction, the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER REDDY,J

Date: 06.04.2017
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¹ 2016 (1) ALT 550