

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15141 OF 2017

ORDER:

The case of the petitioners is that they are the owners and possessors of the lands in Sy.No.773 to an extent of Ac.14-88 cents and in Sy.No.779 to an extent of Ac.8-88 cents situated at Chapalamadugu Revenue Village, Pullalacheruvu Mandal, Prakasham District along with others. While so, petitioners came to know that the subject lands are included in the list of prohibited properties under Section 22-A of the Registration Act, 1908 and made a representation on 03.06.2015 to the authorities. In pursuant to the said representation, the RDO, Markapuram called for the report from Tahsildar on 13.10.2015 and the Tahsildar after thorough enquiry sent a report dated 30.10.2015 to the RDO stating that petitioners were issued pattadar passbooks and titled deeds in respect of the subject lands and by mistake their lands were included in the list of prohibited properties. In spite of the same, no action has been initiated by the respondent authorities for deletion of the subject lands from the list of prohibited properties. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioners submits that though Tahsildar submitted a report to RDO stating that by mistake the subject lands are included in the prohibited properties, no action has been taken for deletion of the same from the list of prohibited properties.

Learned Assistant Government Pleader for Revenue submits that as per the Full Bench judgment reported in **Vinjamuri**

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petitioners have to make an application to the District Collector, if the properties are included in the list of prohibited properties under Section 22-A (1) (a) (b) and to the competent authority in case of the properties are included under other clauses of 22-A (c) & (d) of the Act.

Learned counsel for the petitioners submits that the petitioners will make an application to the competent authority as per the Full Bench judgment of this Court referred supra.

In view of the above facts and circumstances, it is open for the petitioners to make an application to the competent authority 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 others²***. On such application being made by the petitioners, the competent authority is directed to consider the same and take action in terms of the judgment referred to above within a period three (03) months from the date of making of application by the petitioners.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order.

A.RAJASHEKER REDDY,J

26-04-2017

¹ 2016 (1) ALT 550

² 2016 (1) ALT 550

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