

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11367 OF 2017

ORDER:

The case of the petitioner is that he is the owner and possessor of lands bearing Sy.No.339/4 (old Sy.No.339/8) to an extent of Ac.09-10 guntas and Sy.No.339/5 (old Sy.No.339/9) to an extent of Ac.2-06 guntas situated at Mogiligidda Village, Farooqnagar Mandal, Ranga Reddy having acquired the same through registered will deed No.4/2010, dated 20-04-2010 by her paternal aunt by name Kotla Mangali Padmamma W/o.Lingaiah, who died issueless and said lands were inherited by her late husband Lingaiah, who acquired the said lands by purchase vide sale deeds in Doc.No. 584/1983 and 581 of 1983 dated 26-04-1983 from one Bobbili Gopal Reddy and mutations have been effected since then and title deeds and pattadar passbooks were issued. It is further stated that when the petitioner visited the 4th respondent-Sub-Registrar to ascertain valuation and stamp duty along with purchaser, the 4th respondent refused to furnish details of valuation saying that the 3rd respondent-Tahsildar has furnished list of lands, which includes subject lands of which registration is prohibited. Aggrieved by the inclusion of petitioner's lands in the list of prohibited properties under Section 22-A of the Registration Act stating that the same are Government Lands, the present writ petition is filed.

Heard learned counsel for the petitioner, who submits that from 1955 onwards subject lands are treated as private lands and several transactions took place and there is no objection for entertaining the sale deeds in respect of subject lands and the petitioner's name was also mutated in revenue records by issuing pattadar passbooks. Without any reason, subject lands have been included in the prohibited list.

Learned Assistant Government Pleader for Revenue submits that the petitioner has to approach the District Collector by filing application as per Full Bench Judgment of this Court in **Vinjamuri Rajagopala Chary v. Principal Secretary, Revenue Department, Hyderabad**¹ (W.A.No.343 of 2015 and Batch dated 23-12-2015).

In view of the same, it is open for the petitioner to make application to the 2nd respondent by stating the above facts and by filing necessary documents before him. Thereafter, the 2nd respondent is directed to consider the same in accordance with the judgment referred to above within a period of three months from the date of receipt of application from the petitioner.

Accordingly, this writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

06-04-2017
Nvl

¹ 2016(1) ALT 550 (F.B.)



