

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.29283 OF 2017

Date: 31.08.2017

Between:

Kamini Prasad S/o Anjaneyulu, Aged about 35 years,
R/o Reddivaripalle, H/o Madhavaram, Rayachoti Mandal,
YSR Kadapa District and others.

.....Petitioners

and

The Government of Andhra Pradesh, rep.by its
Principal Secretary, Revenue (Stamps & Registration)
Department, Secretariat Buildings, Velagapudi,
Amaravathi, Guntur district and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioners claim that their vendors are the owners of land to an extent of Ac.5.18 cents in Sy.no.1269 of Madhavaram village, Rayachoty Mandal, YSR Kadapa district. Petitioners entered into an agreement of sale with the vendors and when petitioners approached the registering authority to ascertain the market value, registering authority informed them that there is no market value assigned to this property as the property is included in the list of prohibited properties under Section 22-A(1)(a) of the Registration Act, 1908. Aggrieved thereby, this writ petition is filed.

2. The averments made in the affidavit filed in support of the writ petition would disclose that the grievance of the petitioners is confined to the extent of not disclosing the market value of subject property. As per the procedure envisaged and in accordance with Section 22-A of the Registration Act, whenever the property is included in the prohibited list of properties and the list is furnished to the registering authority, the registering authority cannot undertake registration of deed of conveyance. Since such properties are included in the prohibited list, there cannot be fixation of market value on such properties. Therefore, it would be reflected as “zero”. Thus, as per the averments of the petitioners, they were informed that market value is shown as “zero” and that the land is described as DKT land. If that is so, the remedy of the petitioners is to submit an application to the competent authority against such inclusion and to request for deletion from the list of prohibited properties. Unless the property is deleted from the list of

prohibited properties, there cannot be any assessment of market value and there cannot be registration of deed of conveyance. As role of the registering authority is limited in these matters and when subject land is classified as prohibited property, the decision of the registering authority in furnishing such information cannot be faulted. Without first determining the market value, the question of processing the document for registration also does not arise. Thus, relief as sought in the writ petition cannot be granted at this stage and the issue is covered by the decision of Full Bench of this Court in the case of **Vinjamuri Rajagopala Chary and Ors. v. Principal Secretary, Revenue Department, Hyderabad and others**¹. Thus, leaving it open to the petitioners to work out their remedies in accordance with directions of the Full Bench, writ petition is dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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¹ 2016(1) ALT 550

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