

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.33895 OF 2017

DATED : 11.10.2017

Between :

Kalagara Ratna Sampath S/o.Rama Mohan Rao,
Aged 51 yrs, Occu : Agriculture,
D.No.13-49, Abhiram Residency,
MRC Street, KSR Thota,
West Godavari District, 534003,
Andhra Pradesh State

..

Petitioner

And

The State of Andhra Pradesh,
Rep., by its Special Chief Secretary and,
Chief Commissioner of Land Administration,
Secretariat Buildings,
Velagapudi, Guntur District & others.

..

Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner claims that he is the owner of land to an extent of Ac.3-33 cents in R.S.No.181/2, Block No.1 of Venkatapuram Village, Eluru, West Godavari District, having purchased the same from the previous owner. Petitioner is aggrieved by inclusion of the said land in the prohibited list of properties in the notification issued by the Government vide G.O.Ms.No.195 dated 05.05.2016 in exercise of power under Section 22-A (2) of the Registration Act, 1908 (for short 'the Act'). According to the petitioner, aggrieved by such inclusion, an application was made on 04.09.2017. But so far the said application is not considered. Hence, this writ petition.

3. As held by the Full Bench of this Court in "***Vinjamuri Rajagopala Chary Vs State of Andhra Pradesh***¹", if a person is aggrieved by inclusion of the property claimed to have been owned by him in the prohibited list of properties in a notification issued by the Government in exercise of power under Section 22-A (2) of the Act, the said person should file an application before the Committee constituted as held by the Full Bench of this Court in Para 35.1 of the said judgment. In terms thereof a three member committee is constituted. However, it is seen that the representation of the petitioner was addressed to the District Collector by marking copies to various authorities including the

¹ 2016 (1) ALT (550) (F.B)

Special Chief Secretary and Chief Commissioner of Land Administration. Petitioner enclosed acknowledgment of receipt of such application on 21.09.2017 in the office of Special Chief Secretary.

4. That being so, though the application was not directly made to the Committee constituted by the Government as per the directions of the Full Bench of this Court, the representation dated 04.09.2017 shall be treated as an application made before the Committee and the Committee shall consider the claim of the petitioner for exclusion of the property from the list of prohibited properties as notified vide G.O.Ms.No.195 dated 05.05.2016. The entire exercise shall be completed and appropriate decision be made and communicated to the petitioner, within a period of three (3) months from the date of receipt of copy of this order.

5. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

11th October 2017
Rds

P.NAVEEN RAO,J