

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.724 OF 2017

ORDER:

This writ petition is filed against the proceedings dated 02.11.2015 in Refusal Order No.69/2015 whereby the 5th respondent refused to entertain the sale deed presented by the petitioner on the ground that the subject land is classified as Government land as per the list furnished by the Tahsildar C.K.Dinne-4th respondent through Ref.B/326/2004, dated 17.07.2008.

Learned counsel for the petitioner submits that Tahsildar has no power to furnish the list of lands prohibited for registration. In support of his contention he relied on judgment reported in ***Vinjamuri Rajagopala Chary and others vs. State of Andhra Pradesh rep. by Principal Secretary, Revenue Department, Hyderabad and others***¹.

Learned Assistant Government Pleader for Revenue produced written instructions issued by the 4th respondent stating that the subject lands are Government lands.

It is to be seen that as per the aforesaid Full Bench judgment, the District Collector is the competent authority to furnish the list of lands prohibited for registration. In this case, admittedly, the 4th respondent furnished the prohibited list of lands for registration.

In view of the above facts and circumstances, the impugned order dated 02.11.2015 passed by the 5th respondent is set aside

¹ 2016 (1) ALT 550 (F.B)

directing him to receive and register the sale deed presented by the petitioner if the same is in order as per law and also if no list of prohibited properties is sent by District Collector including the subject land in the said list. There shall be no order as to costs.

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

A.RAJASHEKER REDDY,J

23.01.2017
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