

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Appeal No.1082 of 2007

JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

While fairly stating that the subject matter of the present case is covered by the judgment of a Division Bench of this Court in W.A.No.950 of 2007 dated 30.12.2008, the learned Government Pleader would contend that the said judgment needs re-consideration in view of the orders issued by the Government from time to time restricting the extent to which assigned lands can be mortgaged.

The Division Bench, in its judgment in W.A.No.950 of 2007 dated 30.12.2008, referred to several provisions of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short "the Act"), Section 58(a) of the Transfer of Property Act and to several Government Orders issued from time to time, and observed that it was open to the original assignee to mortgage the land to the bank by virtue of the definition in Section 2(1) of the Act. The judgment of the Division Bench in W.A.No.950 of 2007 dated 30.12.2008 is a well-considered and a reasoned order, and we see no reason to take a different view therefrom.

Following the order of the Division Bench in W.A.No.950 of 2007 dated 30.12.2008, and in terms thereof, this Writ Appeal is also disposed of. The miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

14th February, 2017
JSU



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Date: 14.02.2017

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