

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.9127 OF 2017

ORDER:

The case of the petitioner is that he is the owner and possessor of property to an extent of Ac.0.83 ½ cents of land situated in D.No.350 of Lam Village, Tadikonda Mandal, Guntur District having purchased the same through registered sale deed dated 22.07.2013 from Thota Venkayamma and 13 others for a sale consideration of Rs.12,53,000/- and has been in possession and enjoyment of the said land since the date of purchase. After purchasing the said property, the petitioner made an application under Form VI (A) read with Sec.4(1) of A.P.Rights in Land and Pattadar Pass Books Act for mutation of revenue records and for issuance of pattadar pass books and title deeds in his favour and the same was acknowledged by the 3rd respondent. As no action is being taken on the application, petitioner made representation to the 3rd respondent on 15.10.2014 explaining the history of the subject land and also informed that the land situated in Survey No.350, admeasuring Ac.1.67 cents was already deleted from the list of Government lands by the Tahasildar of Tadikonda Mandal and the same was communicated to the Sub-Registrar, Tadikonda Mandal in pursuance of the directions of RDO, Guntur. Further, the Sub-Registrar, Tadikonda gave affect to this communication and allowed the registration of sale deed in respect of subject

land in petitioners favour. Hence, Survey No.350 was deleted from the list of Government Lands furnished to the 4th respondent, but necessary updating has not been done as yet in the list by deleting Survey No.350, under Section 22 A of the Registration Act. The 3rd respondent instead of implementing the same, included the subject property in the list of prohibited properties under Section 22 A (1) (e) of the Registration Act by issuing impugned notification vide G.O.Ms.No.197, dated 05.05.2016. Aggrieved by the same, present writ petition is filed.

Learned counsel for the petitioner submits that after filing of writ petition, the petitioner has made representation before the committee constituted under G.O.Ms.No.300, dated 05.07.2016. He further states that in view of the full bench Judgment in ***Vinjamuri Rajagopalachary and others v. The State of A.P., represented by Principal Secretary, Revenue Department, Hyderabad and others***¹, the committee can look into the grievances and delete the properties from the list of prohibited properties.

Heard learned Assistant Government Pleader for Revenue.

Both the counsel state that the writ petition can be disposed of directing the committee to consider the

¹ 2016 (1) ALT 550 (F.B)

representation of the petitioner in terms of the aforesaid Full Bench Judgment.

In view of the aforesaid facts and circumstances, the committee constituted under G.O.Ms.No.300 dated 05.07.2016, shall consider the representation of the petitioner and take action accordingly after issuing notice and after giving opportunity of hearing to the petitioner, within a period of two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending, shall stand closed.

06.04.2017
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A.RAJASHEKER REDDY, J