

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.6052 OF 2017

ORDER:

The case of the petitioners is that originally the land to an extent of Ac.11.05 cents in Sy.Nos.405-1B, 405-2 and 407-2 of Konnur Village was acquired by the Government and passed Award No.1/83-84 dated 17.06.1983 in R.C.No.797/81 duly paying compensation to the land losers. Subsequently, the Tahsildar, Hindupur handed over the said land to APSRTC Workers Cooperative House Building Society, Hindupur on payment of Rs.325131/- to the Sub-Collector, through DD. From the said society, the vendor of the petitioner i.e., G.Kesava Murthy, purchased Plot No.137 vide registered document No.2876/1984, from whom the petitioners purchased an extent of 233.03 sq.yards in Sy.Nos.405-1, 405-2 and 407-2 bearing Plot No.137 situated in Kotnuru Village, Hindupur Municipal Area, Hindupur, Ananthapur District, vide document No.149/1991 dated 08.02.1991 for valuable consideration. The Tahsildar through his letter dated 26.11.2014 informed the Sub-registrar that the land in the above survey numbers are private patta lands. The Deputy Executive Engineer, Irrigation Department Hindupur also addressed a letter to the Sub-Registrar stating that as per the information provided by the Tahsildar, the lands in the above said survey numbers are patta lands. While so, the petitioner approached the office of the 3rd

respondent to know about the registration charges and stamp duty for registration of the document in respect of the subject property. But the 3rd respondent informed that the document in respect of the subject property cannot be received as the same is included in the list of prohibited properties for registration. With regard to the same, petitioner made an application dated 16.01.2017 to the 4th respondent for deletion of the subject lands from the list of prohibited properties for registration prepared under Section 22-A(1)(b) of the Registration Act, 1908 (for short 'the Act'). As no orders are passed, the present writ petition is filed.

Heard the learned counsel for the petitioners.

Learned Assistant Government Pleader for Revenue submits that the petitioners have not made an application for deletion of the subject lands from the list of prohibited properties for registration and that they have to make proper application to the 4th respondent.

In view of the above facts and circumstances, it is open for the petitioners to make necessary application to the 4th respondent praying to delete the subject lands from the list of prohibited properties prepared under Section 22-A(1)(b) of the Act by giving all the particulars. On such application being made by the petitioners, the 4th respondent is directed to consider the same and pass orders within a period of eight (08) weeks from the date of receipt of copy of this order. There shall be no order as to costs.

With the above direction, the writ petition is disposed of.
As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

22.02.2017
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