

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.31192 OF 2017

DATED : 15.09.2017

Between :

M.Badariah S/o.M.Pullaiah,
Hindu, Aged 65 yrs, Occu : Ex-serviceman,
R/o.D.No.1-54, Mettu Palle (V),
Komarolu Mandal, Prakasam District,
Andhra Pradesh

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Petitioner

And

The State of Andhra Pradesh,
rep., by its Principal Secretary,
Stamps and Registration Department,
A.P. Secretariat, Velagapudi,
Amaravathi, Guntur District & others.

..

Respondents



This court made the following :

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ORDER :

Heard.

2. This Writ Petition is filed seeking to declare the action of the 4th respondent in not receiving and registering the sale deed dt.09.08.2017 in respect of land to an extent of Ac.5.00 cts, in Sy.No.188, situated at Akkengundla Village, S.A.K.N.Mandal (Sri Avadhuta Kasinayan Mandal) YSR Kadapa District, A.P., which was assigned vide DKT No.56/1413 dt.10.08.2004 to the petitioner under Ex-Servicemen Quota and without there being any notification by prohibiting registration under Section 22-A of the Registration Act, as illegal, arbitrary and contrary to G.O.Ms.No.279, Revenue (Assn.I) Department dt.04.07.2016 and G.O.Ms.No.307, Revenue (Assn.I) Department dt.06.06.2013.

3. When this matter is taken up for consideration, it is represented by the learned counsel for parties that the subject matter of the Writ Petition is squarely covered by the judgment of this Court in W.P.No.28764 of 2017 & batch dt.28.08.2017, wherein this Court dismissed the writ petitions.

4. Following the same, this Writ Petition is also dismissed holding that if valid assignment was granted to the petitioner as ex-service man and that he is entitled to alienate the property, petitioner has to file an application before the District Collector, by enclosing all the relevant documents in support of his claim and to

request the District Collector for exclusion of property from the list of prohibited properties. There shall be no order as to costs.

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

15th September 2017
Rds

P.NAVEEN RAO,J

