

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15386 OF 2014

ORDER :

This writ petition is filed challenging the proceedings in Lr.No.N1/17/2014, dated 01.01.2014 and Rc.No.C1/1896/2012, dated 08.01.2014 issued by the respondents 1 and 2, wherein the 1st respondent included the subject lands i.e., Acs.4.03 cents in Sy.No.292 in the list of prohibited properties under Section 22-A(1)(c) of the Registration (A.P. Amendments) Act, 2007 (for short 'the Act').

Heard learned counsel for the petitioners, learned Assistant Government Pleader for Revenue and Sri Ambati Srikanth Reddy, learned Standing Counsel for Endowments.

Learned counsel for the petitioners submit that in pursuance to Full Bench Judgment of this Court dated 23.12.2015 in W.A.No.343 of 2015 & batch, the 1st respondent issued proceedings vide Letter in Rc.No.M1/9580/2016, dated 05.07.2016 deleting the subject lands from the list of prohibited properties.

Sri Ambati Srikanth Reddy, learned Standing Counsel for Endowments submit that the subject property is not included in the list of prohibited properties, but again proposal has been sent to the Commissioner, Endowments Department for inclusion of the subject land in the prohibited list.

The Hon'ble Full Bench, after hearing batch of writ appeals, have clearly gave guidelines for inclusion and exclusion of the properties in the list under Section 22-A(i)(c) of the Act.

When once the property is not in the list of prohibited properties under Section 22-A(i)(c) of the Act in pursuance to Hon'ble Full Bench judgment in W.A.No.343 of 2015 & batch, it is open for the petitioners to present the documents for registration before the 5th respondent-Sub-Registrar, Srikalahasthi.

In view of the above, it is open for the petitioners to present the documents before the 5th respondent for registration and on such submission, the 5th respondent is directed to receive the same, if it is in order in terms of Section 71 of the Act and register the same if the said property is not in list of prohibited properties for registration as per Section 22-A of the Registration Act, as per the Judgment in W.A.No.343 of 2015 dated 23.12.2015 and also if the same is in order as per provisions of Indian Stamp Act and Registration Act and the Rules made thereunder and if he wants to refuse to register the same, he shall record reasons and communicate the same to the parties.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition, shall stands dismissed.

A.RAJASHEKER REDDY, J

08.03.2017
kvs

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Date: 08.03.2017

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