

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.1298 OF 2017

ORDER:

The case of the petitioners is that petitioners are the owners and possessors of the agricultural land admeasuring Ac.1-16 cents in Sy.No.531 and Ac.0.58 cents in Sy.No.532 of Gorantla Village, Guntur Mandal and District respectively. But the said lands were included in the list of prohibited properties for registration as per G.O.Ms.No.197, dated 05.05.2016 under Section 22-A (1) (e) of the Registration Act, 1908 (for short 'the Act'). Challenging the said G.O., the petitioners filed W.P.No.43821 of 2016 and this Court was pleased to suspend the said G.O. vide order dated 16.12.2016. Meanwhile, the Sub-Registrar-3rd respondent refused to register the document presented by the petitioners on the ground that the subject properties are included in the list of prohibited properties vide G.O.Ms.No.197 dated 05.05.2016. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioners.

Learned Assistant Government Pleader for Revenue submits that the petitioners have to approach the appellate authority under Section 72 of the Act, if the 3rd respondent refuses to register the document presented by him.

In view of the above facts and circumstances, the writ petition is disposed of granting liberty to the petitioners to file an appeal under Section 72 of the Act. Since this Court has

already suspended G.O.Ms.No.197, dated 05.05.2016 by which the petitioners' properties are included in the list of prohibited properties, the appellate authority shall consider the same while disposing of the appeal. There shall be no order as to costs.

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

A.RAJASHEKER REDDY,J

20.01.2017
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