

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 21576 of 2016

ORDER:

1) Heard learned counsel for the petitioner, Government Pleader for Revenue and Government Pleader for Assignment. With the consent of both the parties, the main writ petition is being taken up for disposal at the admission stage itself.

2) The present writ petition came to be filed with the following prayer:

“to declare the action of the respondents in issuing Assigned Lands List issued by respondent No.3 vide his proceedings Rc.No.1833/ 2010-D, dated 30.08.2010 containing the assigned lands in Sy.No.605/ 1 of Pedapalakaluru Village, Guntur Mandal and Guntur District, is illegal, arbitrary and contrary to Section 22-A of the Registration Act; and consequently direct respondent Nos.2 to 4 to delete the Sy.No.605/ 1 from the list submitted by the third respondent in his proceedings dated 30.08.2010.”

3) Petitioner seeks de-notification of his land from the list of prohibited lands, which was issued by the Tahsildar to the Sub-Registrar. Petitioner states that he is the absolute owner and his land has been wrongly included in the prohibited list. Petitioner also issued a legal notice dated 02.04.2016 to the District Collector and others seeking de-notification of the property from the prohibited list. Alleging in action on the part of respondent Nos.2 to 4, the present writ petition came to be filed.

4) It is, however, evident that the petitioner has not made any application as contemplated under Section 22-A (4) of the Registration Act, 1908. Hence, the grievance of the petitioner cannot be considered unless he makes an appropriate application, in view of the Full Bench Judgment of this Court in *Vinjamuri Rajagopala Chary v. State of A.P., and others*¹.

5) Therefore, the petitioner shall make an appropriate application to the District Collector, for deletion of his property from the prohibited list. If such an application is made, respondent No.2 shall examine the same and pass appropriate orders thereon, as expeditiously as possible, preferably, within a period of two (02) months from the date of receipt of a copy of such application.

6) With the above direction, the writ petition is disposed of. No order as to costs.

7) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

04.01.2017
gkv

¹ 2016 (2) ALD 236 (FB)