

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29817 OF 2016

ORDER:

The case of the petitioners in this writ petition is that they are owners of various extents lands in question situated at Gajuwaka mandal, Visakhapatnam District, and they through a builder got constructed an apartment building after taking necessary permission from the Corporation and sold some of the constructed flats to the third parties and some of the flats are still remained unsold.

2. The grievance of the petitioners is that when they sought to sell the remaining flats to the prospective buyers and approached the 3rd respondent-Joint Sub-Registrar, Gajuwaka, the 3rd respondent refused to register the property on the ground that a notification in RC No.44/2016/A1, dated 04-06-2016 is issued by the 2nd respondent-District Collector, Visakhapatnam; whereby a list is prepared with regard to surplus lands in Viskahpatnam Urban Agglomeration and the subject land is part of the list of properties identified as surplus land, and the public and interested persons of the those properties identified as surplus land were asked to submit their objections to the competent authority, for necessary further action.

3. Learned counsel for the petitioners submits that the petitioners have already filed representation dated 30-06-2016 to the 2nd respondent stating that the subject lands are not surplus lands, but private lands and earlier sale transaction were done in respect of the same lands, but the 2nd respondent has not passed any orders till date. Hence, this writ petition.

4. Heard learned counsel for the petitioners and the learned Asst. Government Pleader for Revenue.

5. Learned counsel for the petitioners and the learned Asst. Government Pleader for Revenue submits that the 2nd respondent is the competent authority to consider and take decision as to whether a particular land is to be included in the prohibitory list or to delete it from the list, based on the nature of the land. In the circumstances, the writ petition is disposed of directing the 2nd respondent to consider the representation dated 30-06-2016 said to have been made by the petitioners and pass appropriate orders thereon in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand closed.

A.RAJASHEKER REDDY, J

Dated: 17-03-2017
NRG

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



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