

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.44475 of 2016

Dated:16.08.2017

Between:

1. P.Vasudeva Reddy S/o Narayana Reddy,
Aged about 44 years, Occupation:Agriculture,
R/o Dorasanipalle,Proddatur Town,
YSR Kadapa District.

2. P.Bhaskar Reddy S/o Narayana Reddy,
Aged about 47 years, Occupation:Agriculture,
R/o Dorasanipalle, Priddatur Town,
YSR Kadapa District.

3. Ramachandra Reddy S/o Chinna Gurivi
Reddy, Aged about 63 years, Occupation:
Agriculture, R/o Dorasanipalle Village, Proddatur
Town & Mandal, YSR Kadapa District.

...Petitioners

AND

The State of Andhra Pradesh,
Rep.by its Principal Secretary, Department
Of Stamps and Registration, Secretariat,
Velagapudi Village, Amaravathi, A.P.,
and 5 others.

.. Respondents

The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO
WRIT PETITION No.44475 of 2016

ORDER:

The petitioners claim that they are owners of land to an extent of Ac.0.19 cents in survey No.583/1 situated at Bollavaram, Proddatur Town, YSR Kadapa District. According to the petitioners, in the year 1954, a person by name P.Muktayya Sundaram sold the said property to Nelaturu Samuel. In the year 1961, the legal heirs of said Samuel sold the property to one Kandula Konda Reddy. Likewise, title of the property passed on to various persons and in the said manner the property is vested with the petitioners and consequently, pattas were granted on the said property. While so, the properties were included in the prohibited list and orders to that extent were issued vide G.O.Ms.No.200, Revenue (Ass.I) Department, dated 05.05.2016. Challenging the same, this Writ Petition is filed.

2. When the writ petition came up for consideration, learned counsel for the petitioners and learned Government Pleader placed before this Court the Andhra Pradesh Dotted Lands (Updation in Re-settlement Register) Act, 2017 (for short, 'the Act'). Section 4 of the Act deals with entries in column Nos. 16 and 17 of the Re-settlement Register. According to this section, if any, entries are made in accordance with Sub Sections (1) and (2) of Section 4 of the Act, aggrieved person may show continuous possession for more than 12 years or more prior to the commencement of Act by himself or his predecessor in interest supported by documents. The same shall be sufficient for updation of his name in column No.16 of Re-Settlement Register in respect of Dotted lands.

3. Though learned counsel for the petitioners by referring to averments in the counter affidavit filed by the Tahsildar, submits that carrying on sale transactions in the concerned properties are not denied, this Court is not inclined to go into those issues and whether title was validly passed on to the petitioners and whether the petitioners are entitled for inclusion of their names in column No. 16 of Re-Settlement Register in terms of Section 4 of the Act.

4. In the facts of this case, it is suffice if the petitioners are granted liberty to file an application before the District Level Committee as per Section 5 of the Act by producing all necessary documents in support of their claim that they or their predecessor in interest were in possession of the property prior to coming into force of the Act 10 of 2017.

5. As and when such application is made by the petitioners for entry of their names in column No.16 of Re-Settlement Register, the same shall be considered and appropriate decision may be taken as warranted by law by following the due procedure as prescribed by Andhra Pradesh Dotted Lands (Re-Updation and Re-settlement Register) Rules, 2017. If the claim of the petitioners is accepted by the committee for inclusion of their names in column No.16 of Re-Settlement Register, it shall take appropriate steps as per G.O.Ms.No.200, dated 05.05.2016.

6. With the above direction, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date:16.08.2017
YVL

THE HON'BLE SRI JUSTICE P. NAVEEN RAO



WRIT PETITION No.44475 of 2016

Date:16.08.2017

YVL