

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.38674 of 2017

ORDER:

Petitioner's grievance is that though the subject land has been held to be private land in the order dt.21-04-2016 in W.P.No.26064 of 2015 and mutation of the petitioner's name was done on the basis of the said order, when petitioner presented a document for registration before the 4th respondent, 4th respondent is refusing to register the same on the ground that the subject land is included in the list of prohibitory list indicated under Section 22-(1)(d) of the Registration Act, 1908 (for short "the Act").

2. Learned Government Pleader for Revenue appearing for respondents states that probably under mistaken impression, the District Collector had included the subject land in the list of prohibitory properties under Section 22-A of the Act, and that the Tahsildar of Gokavaram, East Godavari District had informed her that the subject land is private land belonging to petitioner's vendor and is not Government land.

3. Therefore the subject land cannot be treated as Government land and included in the list of prohibitory properties communicated by the 2nd respondent to the 4th respondent.

4. Accordingly, the Writ Petition is allowed and the 4th respondent is directed to forthwith receive the document presented by petitioner

for the purpose of registration and register the same strictly in accordance with the provisions of the Registration Act, 1908 and Stamp Act, 1899 without reference to the list communicated under Section 22-A of the Act to him, within six (06) weeks from the date of presentation of document by petitioner. No costs.

5. As a sequel, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 23-11-2017

Vsv/*

