

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.38533 of 2017

ORDER :

Heard the counsel for petitioner, and the learned Government Pleader for Assignment, for respondents.

2. The petitioner contends that petitioner has purchased an extent of Acs.14.82 cents in Survey No.304 at Mallapalli Village and Gram Panchayat, Gorantla Mandal, Ananthapur District vide separate sale deeds and developed a lay-out; that the total extent of the said survey number is Acs.19.84 cents; that only an extent of Ac.2.85 cents in the said survey number belonging to one M. Jaganatharao is included in the prohibited list of properties notified under Section 22-A by the 2nd respondent to 5th respondent; that petitioner's land is not in the prohibitory list, and in spite of the same, the 5th respondent is not registering the deed for alienation of the property.

3. The learned Government Pleader for Assignment, on instructions, states that only an extent of Acs.2.85 cents in Survey No.304 was declared as surplus land under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976.

4. It is not the case of respondents that the subject land purchased by petitioner includes the said extent. In fact, the learned Government Pleader for Assignment states that the Tahsildar has also stated that

petitioner's land does not include the said extent which is notified in the prohibitory list.

5. In this view of the matter, the 5th respondent cannot refuse to register the documents presented by petitioner.

6. Accordingly, the Writ Petition is allowed. The 5th respondent is directed to register the documents presented by petitioner strictly in accordance with the provisions of the Indian Stamp Act, 1899 and Registration Act, 1908, and release the said documents to the petitioner within one month from the date of submission of document by petitioner without reference to the prohibitory list under Section 22-A of the Registration Act, 1908 communicated to him by the 2nd respondent. No order as to costs.

7. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 08-12-2017

Ndr/*