

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.40830 of 2017

ORDER :

Heard the counsel for petitioners, and the learned Government Pleader for Revenue, for respondents.

2. The petitioners' grievance is that petitioner has purchased the subject property from one D. Narsing Rao under a registered sale deed dt.19.12.1983; that there was an attempt by the State to dispossess the petitioners' vendors from the subject land by invoking Section 166-B of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 Fasli which empowered Joint Collector to invoke *suo moto* revisional powers; that petitioners' vendors then filed WP.Nos.21719 of 1997 and 1731 of 2005 in this Court which was allowed holding that *suo moto* revisional powers cannot be exercised by the Joint Collector after long lapse of time; that this order was confirmed in Writ Appeal No.273 and 323 of 2010 on 08.06.2010, and also by the Honourable Supreme Court in a judgment reported in **Joint Collector, Ranga Reddy District v. D. Narsing Rao**¹; and in spite of the same, the respondent nos.3 and 4 are refusing to register the same on the ground that the subject land was included in the list of prohibited properties notified under Section 22-A of Registration Act, 1908 by the District Collector, Ranga Reddy and therefore, cannot be registered.

¹ 2015 (3) SCC 695

3. The learned Government Pleader for Revenue, appearing for respondents, states that the Supreme Court had left it open in its judgment to the Government to take steps in accordance with law regarding the land in question, and therefore, the 4th respondent was justified in not receiving the sale deeds for the purpose of registration.

4. It is unfortunate that the respondents having chosen to take notice of the judgment of the Supreme Court did not initiate any proceedings in any Forum for recovery of the land, and are attempting to stall the sale of the property by petitioners without any valid reason.

5. It is obvious that the respondents have no respect for the orders passed by this Court as well as the Honourable Supreme Court in the above cases.

6. Though the learned Government Pleader for Revenue, appearing for respondents, wanted to file a counter-affidavit, I do not see any useful purpose being served by granting any further time to the respondents since the above facts are undisputed.

7. It is clear that respondents have acted illegally in refusing to receive the documents presented by petitioners for the purpose of registration and have practically committed contempt of the orders passed by this Court and the Supreme Court.

8. Therefore, the 4th respondent is directed to receive the documents presented by petitioners for the purpose of registration without reference to any prohibitory list under Section 22-A of the

Registration Act, 1908 communicated to him by the District Collector, Ranga Reddy District and proceed to register the same strictly in accordance with the provisions of the Indian Stamp Act, 1899 and Registration Act, 1908 within four weeks from the date of presentation of documents by the petitioners.

9. The 1st respondent shall also pay costs of Rs.20,000/- to the petitioners.

10. Accordingly, the Writ Petition is allowed as above with costs.

11. 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/*

