

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO.951 OF 2018

ORDER:

The petitioner states that she is the absolute owner of the land of an extent of Ac.5.00 cents in Sy.No.676/8 situated at Chintalapudi village, Chintalapudi Mandal, West Godavari district. She states that she purchased the said land in a public auction held on 1.11.2000 conducted by the Assistant Registrar/Sale Officer, Eluru-I, the District Cooperative Central Bank Limited, Eluru, West Godavari district. The sale certificate was issued in her favour on 21.6.2001. The said land was mortgaged initially in favour of Chintalapudi Primary Agricultural Cooperative Society by one V.Venkateswara Rao for obtaining loan and when he did not repay the loan amount, the property was put for auction to discharge the loan amount. The petitioner states that after purchase of the property in the auction, her name was mutated in the revenue records. However, now she came to know that the said property is included in the list of prohibited properties and in view of the same she is not in a position to deal with the said property. Challenging the inclusion of the said land in the list of prohibited properties, the present Writ Petition is filed.

The issue relating to the inclusion of properties under section 22 (A) (1) of Registration Act came up for consideration before a Full Bench of this Court in the case of VINJAMURI RAJAGOPALA CHARY vs. STATE OF ANDHRA PRADESH AND OTHERS¹.

The Full Bench of this Court, in the above decision in the case of VINJAMURI RAJAGOPALA CHARY vs. STATE OF ANDHRA PRADESH AND OTHERS¹, gave liberty to the parties affected by inclusion of the properties in the list of prohibited properties, to apply for deletion from the list or modification thereof, to the concerned authorities and the concerned authorities were directed to consider the request in proper perspective and pass appropriate orders.

In view of the same, this Writ Petition is disposed of giving liberty to the petitioner to bring it to the notice of the District Collector, West Godavari district, for deletion of the property claimed by the petitioner, justifying her claim, and as and when the petitioner files such an application, the District Collector, West Godavari, shall dispose of the same in accordance with law, within a period of three months from the date of receipt of a copy of the said application.

¹ 2016 (2) ALD 236 (FB)

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

A. RAMALINGESWARA RAO,J

Date: 24.1.2018

KPM

