

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 1854 of 2018

Order:

The petitioner states that she purchased Plot No.42 in an extent of 205.3/9 sq. yards situated in Survey No.3 of Agathavarappadu village, Pedakakani Mandal, Guntur District, under a sale deed dated 15.12.2006 from the vendor. The vendor purchased the said land under a registered sale deed dated 14.07.1995. The petitioner has been in possession of the said land since the date of purchase. Now the petitioner wants to dispose of the said plot and submitted an application to the fifth respondent seeking information relating to the market value and the petitioner was informed that in view of the letter addressed by the fourth respondent on 12.09.2014 the land cannot be registered, as Survey No.3 of Agathavarappadu village was included in the list of prohibited properties. Challenging the letter of the fourth respondent, the present Writ Petition is filed.

Learned counsel for the petitioner submits that the fourth respondent addressed the letter to the fifth respondent on 11.09.2014 stating that there was credible information with regard to selling of the land without any title and in order to avoid further litigation he thought it better not to allow registration of any transactions until further orders from his office in respect of the land in Survey No.3 of Agathavarappadu village.

The letter states that the said land was classified as patta land. When the said land was classified as patta land, it is not for the fourth respondent to issue any letter prohibiting registration unless the land was notified under Section 22-A(1)(a) of the Registration Act. The list of prohibited properties notified under Section 22-A(1)(a) of the Registration

Act does not contain the present survey number. In the circumstances, the fifth respondent cannot act on the letter of the fourth respondent.

The Writ Petition is, accordingly, disposed of directing the fifth respondent to accept the document presented by the petitioner for registration and, if it fulfils all the formalities for registration, he shall take action according to the provisions of the Registration Act. There shall be no order as to costs.

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

Date: 24.01.2018
Nsr

A. RAMALINGESWARA RAO, J

