

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO.2414 OF 2018

ORDER:

The petitioner states that he is the absolute owner of the land of an extent of Ac.5.00 cents in Sy.No.676/7 situated at Chintalapudi village, Chintalapudi Mandal, West Godavari district. He states that he purchased the said land in a public auction held on 06.01.2003 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 his favour on 11.07.2003. The said land was mortgaged initially in favour of Chintalapudi Primary Agricultural Cooperative Society for obtaining loan and when the said loan amount was not paid to the Society, the property was put for auction to discharge the loan amount. The petitioner states that after purchase of the property in the auction, his name was mutated in the revenue records. However, now he came to know that the said property is included in the list of prohibited properties and in view of the same he 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 the 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 OTHERS<sup>1</sup>.

The Full Bench of this Court, in the above decision in the case of VINJAMURI RAJAGOPALA CHARY vs. STATE OF ANDHRA

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<sup>1</sup> 2016 (2) ALD 236 (FB)

PRADESH AND OTHERS<sup>1</sup>, 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 his 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. 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.



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A. RAMALINGESWARA RAO,J

Date: 29.01.2018  
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