

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.6796 OF 2018

ORDER:

1. Heard learned counsel for the petitioner and the learned Government Pleader for the respondents.

2. The petitioner states that he entered into an agreement of sale with his vendors namely Goli Showri and Vasi Thamos in respect of land in D.No.210/1B & 210/D9 in an extent of Ac.0.91 ½ cents situated at Undavalli Village, Tadepalli Mandal, Guntur district by paying valuable sale consideration. The said Goli Showri and Vasi Thomas purchased the said land under registered sale deed Nos.4501 of 2003 and 4503 of 2003 from their vendor Kismath Jaha who inturn purchased the same land under Registered Sale Deed No.351 of 2006. When the petitioner approached the 5th respondent to ascertain the market value for the purpose of stamp duty and registration, the 5th respondent refused to receive the documents stating that the said lands are prohibited lands as per the list communicated by the respondents 2 and 3. Challenging the action of the 5th respondent, the present Writ Petition is filed.

3. 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.

¹ 2016 (2) ALD 236 (FB)

4. 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.

5. 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, Guntur district, by filing an application for deletion of the property claimed by him from the list of prohibited properties, justifying his claim, and as and when the petitioner files such an application, the District Collector, Guntur, 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.

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

A. RAMALINGESWARA RAO,J

Date: 1.3.2018

KPM

