

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.775 of 2016

Date :19.3.2018

Between:

Allam Pandurangarao S/o Venkateswararao
63 years R/o Chintalapudi village and mandal
West Godavari district

Petitioner

And

The State of A P
Rep by its Principal Secretary
Department of Stamps and Registration,
Secretariat, Hyderabad and others

Respondents

The Court made the following:



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ORAL ORDER:

This writ petition is filed seeking following relief:

..to issue writ order or direction more particularly one in the nature of mandamus by declaring that the action of the 3rd respondent furnishing the prohibitory list to sub registrar including petitioners land admeasuring Ac 0 10 cents in RS No 1251/1 land admeasuring Ac 0 76 cents in RS No 1251/2 land admeasuring Ac 061 cents in RS No 1251/4 land admeasuring Ac 1 98 cents in RS No 1258/5 land admeasuring Ac 1252/4E1 land admeasuring Ac 0 24 cents in RS No 1252/4A land admeasuring Ac 1 00 cents land admeasuring Ac 1 95 cents in RS No 1251/5 total admeasuring Ac 7 49 cents of Chintalapudi Village and Mandal West Godavari district showing as government land without considering possession and title of petitioner and their vendors and the action of the 2nd respondent refuse to register on such information of 3rd respondent and issuing the letter dated 10-12-2015 declaring that the land is government land as illegal arbitrary and unconstitutional and direct the respondents to receive and register the sale deed to be presented by the petitioners in respect of agriculture dry land admeasuring Ac 0 10 cents in RS No 1251/1 land admeasuring Ac 0 76 cents in RS No 1251/2 land admeasuring Ac 061 cents in RS No 1251/4 land admeasuring Ac 1 98 cents in RS No 1258/5 land admeasuring Ac 1252/4E1 land admeasuring Ac 0 24 cents in RS No 1252/4A land admeasuring Ac 1 00 cents land admeasuring Ac 1 95 cents in RS No 1251/5 total admeasuring Ac 7 49 cents of Chintalapudi Village and Mandal West Godavari district without taking objection that the land is assignment land and pass...

2. When the matter is taken up, learned counsel for petitioner seeks leave of the Court to prefer representation /application before the committee constituted by the Government in terms of the directions issued by Full Bench of this Court in **Vinjamuri Rajagopala Chary and others Vs. State of A.P., rep by Principal Secretary, Revenue Department, Hyderabad and others**¹.

2.1 In paragraph No.35.1 Full Bench held as under:

“35.1 Further, as noticed earlier the State Government is empowered either suo motu or on application to consider the grievances against inclusion of any property in the prohibitory list under [Section 22-A](#) of Registration Act and is also empowered to de-notify either in full or in part the notification

¹ 2016 (1) ALT 550 (FB)

issued under sub-section (2). In our opinion, the redressal mechanism is available only with respect to notifications published relating to the properties falling under clause (e) of [Section 22-A](#). Hence, any grievance of the parties with reference to the properties covered by clauses (a) to (d) will have to be questioned by the aggrieved parties only by appropriate proceedings before a competent Court and the adjudication by such Court would be final. Further, so far as notified properties falling under clause (e) are concerned, the redressal mechanism under sub-section (4) of [Section 22-A](#) would be able to effectively address the grievance provided the mechanism thereunder is effective, expeditious, fair, and judicious. Thus, in order to make an effective redressal mechanism, we deem it appropriate to direct the respective Governments of both the States to constitute a Committee or establish a Forum within time frame, may be comprising of Principal Secretary of Revenue, Director of Survey and Land Records and a retired Judicial Officer of the rank of a District Judge which shall meet periodically to consider the grievances of the persons affected by the notifications. The Committee shall be empowered to examine relevant records and then pass a reasoned order either accepting or rejecting the grievance by either confirming/deleting/modifying any such property from the notified list of properties. In our view, such orders passed by the Committee shall be binding on the State as well as on the aggrieved person and in the event of any of them being aggrieved thereby, they shall have to approach a competent Court of Law for redressal of their grievance.”

3. In terms thereof, Government constituted three members committee.

4. While, leaving it open to the petitioner to submit a representation /application before the committee for deletion of the property claimed by the petitioner as owned by him from the list of prohibited properties notified by the Government, the writ petition is disposed of. Miscellaneous petitions are closed.

P NAVEEN RAO,J

DATE:19.3.2018
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