

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.11322 OF 2018

ORDER:

1. Heard the learned counsel for the petitioner and the learned Government Pleader for Registration and Stamps (AP) for the respondents.

2. Petitioner claims that land to an extent of Acs.10.20 cents in Survey No.985 in Daburuvaripalli Village, Obuladevaracheruvu Mandal, Anantapuramu District, is private patta land. For the personal needs, when the petitioner intended to dispose of a portion of the land, the registering authority insisted to furnish 'no objection certificate' (NOC). According to the petitioner, she need not obtain NOC as it is a private land and that assignment was made prior to the year 1954. However, learned counsel for the petitioner fairly submits that the subject property is included in the list of prohibited properties under Section 22-A(1)(a) of the Registration Act, 1908.

3. Whenever property is included in the list of prohibited properties, the aggrieved person has to submit an application to the competent authority for deletion of the property from the list. In the instant case, the District Collector is the competent authority. So far, the petitioner has not submitted any application. When a property is included in the list of prohibited properties, the question of alienation of such property cannot be undertaken unless it is deleted from the list of prohibited properties.

4. Granting liberty to the petitioner to apply to the District Collector for deletion of the property from the list of prohibited properties, the Writ Petition is disposed of. It is needless to

observe that if such an application is made, the District Collector shall consider the same and pass orders, as expeditiously as possible, preferably within a period of eight (8) weeks from the date of receipt of such application. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(P.NAVEEN RAO, J)

6th April 2018

NOTE: Issue CC by one week

B/O

RRB

