

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.11665 OF 2018

Dated:09.04.2018

Between:

Mundru Venkata Srinivas,
S/o.Subrahmanya Chowdary,
42 years, R/o.D.No.3-16C-32/1,
Flat No.102, Sourya Enclave,
Santhinagar, Kakinada,
East Godavari District and others.

.. Petitioners

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Revenue, (Stamps & Registrations) Department,
Secretariat, Velagapudi, Amaravathi,
Guntur District and others.

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.11665 OF 2018****ORDER:**

Petitioners claim that they are the owners and in possession of a land to an extent of Acres 27.00 in survey Nos.509/1, 510/1, 510/2, 511/1, 511/2 and 513/1 respectively of Patavala Village of Thallarevu Mandal of East Godavari District. As per the averments made in the affidavit at Paragraph No.3, they claim to have purchased the same on 09.12.1999. In this writ petition, petitioners are aggrieved by the information furnished to them by the Joint Sub-Registrar, Thallarevu, East Godavari District, vide his endorsement dated 28.04.2017, informing the petitioners that the subject lands are included in the list of prohibited properties and therefore, no deed of conveyance for registration can be processed.

2. The learned counsel for the petitioners sought to contend that the said endorsement is erroneous, inasmuch as, the Revenue Divisional Officer, vide his letter dated 03.03.2014, informed the Sub-Registrar that there is no prohibition from alienation. It is therefore submitted that it is not permissible for the Sub-Registrar to refuse registration.

3. The limited issue for consideration in the present writ petition is: 'whether Sub-Registrar erred in communicating

the information as available with him on the status of the property in issue’?

4. According to Sub-Registrar, the property in issue is included in the prohibited list of properties. Once property in issue is included in the prohibited list of properties, Sub-Registrar cannot process deed of conveyance on the said property; this is what is informed by the Sub-Registrar. If a petitioner has any grievance on wrong inclusion of the properties claimed, as owned by him, he has to workout his remedies as available under law having regard to the law laid down by the full bench of this Court in ***Vinjamuri Rajagopala Chary v. State of Andhra Pradesh***¹.

5. Thus, leaving it open to the petitioner to avail the remedy by way of an application to the District Collector requesting to exclude the subject properties from the list of prohibited properties, this writ petition is disposed of.

6. Miscellaneous petition pending consideration, if any, in this case shall stand closed as consequence. No order as to costs.

09.04.2018
SS

P.NAVEEN RAO, J

¹ 2016 (1) ALT 550 (FB)