

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.15875 OF 2018

Dated 30th April 2018

Between:

Potluri Srinivasa Chakravarthi, S/o.Late Ram Koteswar Rao.

...Petitioner

And

1. The State of Andhra Pradesh, rep.by its Principal Secretary, Revenue Department, (Registration-II), Secretariat, Velagapudi, Guntur and two others.

...Respondents

The Court made the following:



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ORDER:

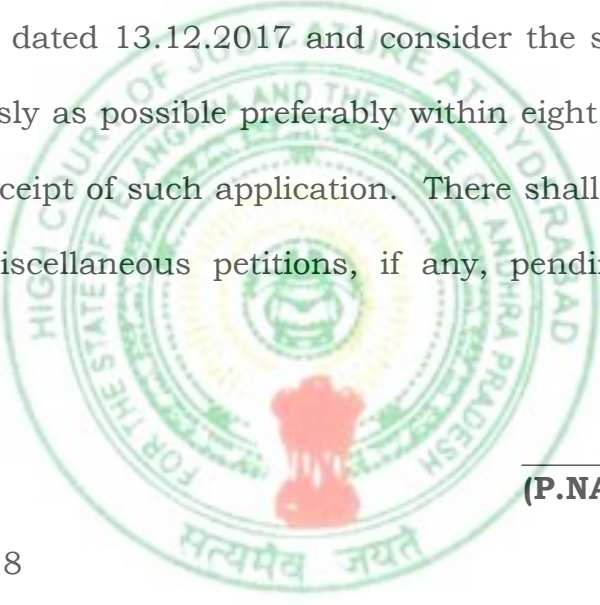
1. According to the petitioner, land to an extent of Acs.15.33 cents in Survey Nos.39/1A, 39/5A & B situated at Vemulavalasa Villae, Anandapuram Mandal, Visakhapatnam District was the subject matter of land ceiling proceedings. The Land Reforms Tribunal, vide its order dated 05.10.2017, held that the vendors of the petitioner are entitled to retain the above extent of land after deleting the surrendered land in Survey Nos.39/1B, 39/5C and 39/5D totalling an extent of Acs.11.80 cents. This order of the Land Reforms Tribunal has become final. However, the subject property is included in the list of prohibited properties. Learned counsel for the petitioner also placed reliance on report submitted by the Tahsildar to the District Collector vide his letter dated 13.12.2017 requesting the District Collector to delete the abovementioned land from the list of prohibited properties under Section 22-A of the Registration Act. Alleging inaction, this Writ Petition is filed.

2. Though learned counsel for the petitioner claims that in view of the decision of the Land Reforms Tribunal, the subject land cannot be treated as ceiling surplus land and the land was validly purchased by the petitioner and title was passed to him and therefore, inclusion of the subject property in the list of prohibited properties is erroneous.

3. The Land Reforms Tribunal passed orders on 05.10.2017 and thereafter, the Tahsildar reported to the District Collector on 13.12.2017. The petitioner has not submitted application to delete

the subject property from the list of prohibited properties. In the facts of the case as noted above, it cannot be said that the District Collector declined to delete more so when no such application is filed by the petitioner.

4. Granting liberty to the petitioner to make appropriate application bringing to the notice of the District Collector the subsequent developments and the report of the Tahsildar, the Writ Petition is disposed of. If such an application is made, the District Collector shall examine the same having regard to the order passed by the Land Reforms Tribunal dated 05.10.2017 and the report of the Tahsildar dated 13.12.2017 and consider the said application as expeditiously as possible preferably within 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)

30th April 2018
RRB