

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.31354 of 2018

O R D E R:

This writ petition is filed for the following relief:

“.....to issue a writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents No 2 and 3 in not directing the 5th Respondent to issue No Objection Certificate in respect of the petitioner's land situated in an extent of Ac.4.95 cents in Sy.No. 244-B4 of Peddakakani Village and Mandal Guntur District as illegal arbitrary and violation of Articles 14 and 300-A of the Constitution of India and consequently direct the Respondents to Issue No Objection Certificate in favour of the petitioner....”

Petitioner states that he intends to purchase land admeasuring Acs.4.95 cents in Survey No.244-B4 of Peddakakani Village and Mandal Guntur District from S.Venkat Sridhar and others. He further states that the subject property was originally assigned to one V.Brahma Reddy S/o. China Venkata Reddy, who, in turn, sold the same to one Smt.L.Indira W/o. Lakshmi Narayana; that the said Indira sold the same to the vendors of the petitioners and that when he has presented the document for registration, the same was returned on the ground that the subject property is included in the prohibited list in terms of Section 22-A of the Registration Act. He further submits that on his representation, respondent Nos.3 and 4 submitted a report to respondent No.2-District Collector, Guntur and that he submitted an application on 11.12.2017 to respondent No.2 to delete the subject property from the prohibited list. His grievance is that so

far, no action has been taken by the respondents. Hence, he seeks a Writ of Mandamus.

Heard the learned counsel for the petitioner.

Learned Government Pleader for Revenue appearing for the respondents submits that a direction may be issued to respondent No.2, to pass appropriate orders on the application, dated 11.12.2017, submitted by the petitioner, as respondent No.2 is the competent authority to consider any deletion of property, which was included in the prohibited list.

Having regard to the respective submissions, without expressing any opinion on the merits of the matter, the writ petition is disposed of with a direction to respondent No.2 to pass appropriate orders on the application, dated 11.12.2017, submitted by the petitioner, after taking into consideration the material available and on verification of the records, within a period of six (6) weeks from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:04.09.2018

Note: Issue cc in one week.
(B/o)
kdl

