

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

W.P. No. 36251 of 2018

ORDER:

The present writ petition came to be filed seeking the following relief:

“To declare the action of the respondents 4 and 5, more particularly, the 5th respondent in issuing refusal order vide letter No.R.O./ Tpt/ Refusal No. P1561/ 2017 dated 14.06.2018 refusing to register the pending document No. 1561 of 2017 executed and presented for registration on 22.11.2017 after duly paying the requisite stamp duty and registration charges as per the existing market value for the part of land to an extent of 92.66 square yards in Plot No.14 of Survey No. 72/ 12, presently merged in Ward No.22 of Tirupati Municipal Corporation, stating that the land is classified as “Kallam Poramboke” by ignoring the fact that the land in Survey No. 72/ 12 duly transformed into Government assigned land way back in the year 1993, and also ignoring the No Dispute Certificate issued by the 4th respondent Tahsildar, vide proceedings dated 08.11.2016, as illegal, unjust, arbitrary, discriminatory, amounts to colorable exercise of power, vitiated by total non application of mind, apart from contrary to the specific orders issued by the Government through G.O.Ms.No. 279, Revenue (Assn.1) Department dated 04.07.2016 and also violative of Articles 14, 21 and 300-A of the

Constitution of India and settled principles of law and consequently direct the respondents to register and release the Sale Deed (Pending Doc.No. 1561 of 2017) dated 23.11.2017.”

2. At the time when the matter is taken up for hearing, learned counsel for the petitioner, Sri K.R.Prabhakar would submit that the petitioner may be permitted to make an application before the District Collector, in terms of G.O.Ms.No. 279, dated 04.07.2016, and that the District Collector may be directed to deal with the same at the earliest.

3. Learned Government Pleader would submit that if reasonable time is granted to the District Collector, the application filed by the petitioner will be dealt with in accordance with law.

4. In view of the above, the writ petition is disposed of at the admission stage, permitting the petitioner to make an application in terms of G.O.Ms.No. 279, dated 04.07.2016, and if any such application is made, the authorities shall deal with the same, in accordance with law, and pass orders, as early as possible, preferably, within a period of three to six months from the date of filing of the application. Consequently, Miscellaneous Petitions, if any, pending in this writ petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

08.10.2018
DMG

