

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40294 of 2018

O R D E R:

This writ petition is filed challenging the review order of the 4th respondent dated 10.08.2015 vide No.234/2015 refusing to register the document filed by the petitioner on the ground that the subject property is in the prohibitory list furnished by the Tahasildar vide Rc.No.1040/2011-4, dated 04.11.2011.

Learned counsel for the petitioner submits that in similar circumstances, this Court allowed WP.No.40997/2015 on 13.03.2017. The same is not disputed by the learned Assistant Government pleader for Revenue. However, he states that the above writ petition was allowed on the ground that the Tahasildar has sent the list, but, in the present case the District Collector has sent another list dated 12.12.2017 including the subject land in the prohibitory list under Section 22 A of the Act.

In this case it is to be seen that the impugned order is passed basing on the letter issued by the Tahasildar dated 04.11.2011 vide Rc.No.1040/2011-4. In similar circumstances this Court has allowed WP.No.40997/2015 dated 13.03.2017, relying on the Full Bench Judgment of this Court wherein it is held that the Tahasildar is not competent to send the list of prohibited properties. In view of the same,

the impugned order is set aside. However, the relief of registration cannot be granted in this writ petition since it is stated that the District Collector has already sent list including the subject property in the prohibitory list. As such, it is open for the petitioner to challenge the said proceedings of District Collector.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

22.11.2018
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A.RAJASHEKER REDDY, J

