

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38289 of 2017

ORDER:

It is the case of the petitioner that his grand father by name M.Chinnappa was assigned land admeasuring Ac.4-53 cents in Sy.No.87-2D of Basinikonda Village in the year 1942, vide Patta No.646 without imposing the conditions of prohibition on alienation/transfer. After demise of his grand father, father of the petitioner sold an extent of Ac.1-00 in the above land and in remaining extent of Ac.3-53 acres, his father was in possession and enjoyment of the same. After demise of his father, the petitioner succeeded the same. The grievance of the petitioner is that though the assignment of subject land was done much prior to 1954, the respondent-authorities have included the entire land in the list of prohibited properties for Registration by way of impugned G.O.Ms.No.215 Revenue (ASSN.I) Department, dated 13-05-2016 and consequently refusing to receive and register the document of the petitioner for registration in respect of subject land basing on the said G.O. Hence the writ petition is filed.

Learned counsel for the petitioner submits that in similar circumstances, this Court allowed WP.No.42044 of 2018, dated 23-11-2018. The same is not disputed by learned Assistant Government Pleader for Revenue.

In view of the same, for the reasons alike in the said order, this writ petition is allowed, setting aside the inclusion of petitioner's land to an extent of Ac.3-53 cents in Sy.No.87-2D

situated at Basinikonda Revenue Village, Madanapalle Mandal, Chittoor District in the list of prohibited list of properties as stated in the annexure to G.O.Ms.No.215, dated 13-05-2016 and 5th respondent is directed to entertain the document presented by the petitioner in respect of subject property and register the same, if the same is in order as per the provisions of Indian Stamps and Registration Act and the Rules made thereunder and it is not prohibited for registration by any order/injunction passed by the Court or competent authority.

There shall be no order as to costs. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

18-12-2018

Nvl

A.RAJASHEKER REDDY,J



