

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.42044 of 2018

ORDER:

The case of the petitioners is that they are absolute owners and possessors of Ac.0-67 cents of agricultural land in Survey No.282/2 of Knateru village, Tadikondal mandal, Guntur District. The said land was originally granted to their late paternal grandfather by the Government of composite State of Madras, and presently their father's (1st petitioner) name is shown in the Record of Rights Form 1-B and pattadar passbook (Khata No.370 – Unique No.1713021003000370).

The grievance of the petitioners is that though the assignment of subject land was done much prior to 1954, the respondent authorities have included the subject land in the List of Prohibited Properties by way of impugned order.

Learned Assistant Government Pleader also produced written instructions saying that the subject land was assigned prior to 1954 and it is not in dispute.

It is admitted in the written instructions that the subject land was assigned prior to 1954, however, the lands which are enlisted in 22-A(1)(a) and 22-A(1)(e) are to be released from the Prohibited List by following due procedure. Paragraph 5 of the G.O.Ms.No.575 dated 16.11.2018 reads as under:

“5. After careful examination of the matter, Government hereby order for deletion of Government lands assigned prior to 18.06.1954 from the purview of Section 22-A of Registration Act, 1908.”

Admittedly, the impugned order mentions Survey No.282/2 in an extent of Ac.1-34 cents. The petitioners are claiming only Ac.0-64 cents out of the same. Even according to the impugned order, the said land was assigned prior to 1954.

In view of the same, the writ petition is allowed, setting aside the inclusion of the petitioners' agricultural land in an extent of Ac.0-67 cents in Survey No.282/2 of Kanteru village, Tadikonda mandal, Guntur District, in the Prohibited List of properties as stated in the Annexure to G.O.Ms.No.197, Revenue (Assn.I) Department dated 05.05.2016. Pending miscellaneous petitions, if any, shall stand closed. No costs.

A. RAJASHEKER REDDY, J

23rd November, 2018

KSM



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