

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.42165 OF 2018

O R D E R

The petitioner is a construction firm and is represented by its partner. The case of the petitioner is that, when the subject property in an extent of Acs.12.19 cents in Sy.No.63/1, old patta No.72, situated at Dopparla village and Gram Panchayat, Atchutapuram mandal, SRO, Yellamanchili, Visakhapatnam, and was sought to be purchased and the document was presented to the 3rd respondent – Sub Registrar, he refused to receive and register the same, on the ground that the said lands are shown in the list of prohibited properties under Section 22-A of the Registration Act, 1908 (for short 'the Act'). Therefore, petitioner made application to the 2nd respondent – District Collector, for deletion of the said lands from the list of prohibited properties, in accordance with law. The Tahsildar, Atchutapuram, conducted enquiry and submitted report to the Revenue Divisional Officer for deletion of the subject lands, and in turn the Revenue Divisional Officer, vide communication in Lr. No.1721/2007/C/Dt 16-6-2013, addressed to the 2nd respondent, sought for deletion of the subject land from the list of Government lands notified under Section 22-A of the Act. As the 2nd respondent has not taken any action for deletion of the subject lands, the 3rd respondent is not receiving and registering the documents presented by the petitioner. Hence, the writ petition.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleaders for Revenue and Registration and Stamps.

Having regard to the facts and circumstances of the case, writ petition is disposed of directing the 2nd respondent – District Collector, to

consider the communication of the Revenue Divisional Officer, Narsipatnam in Lr.No.1721/2007/C dated 16-6-2013 and take appropriate action in accordance with law for deletion of the subject lands from the list of prohibited properties under Section 22-A of the Act, within a period of two weeks from the date of receipt of a copy of this order, and based on the same, 3rd respondent is directed to receive and register the documents sought to be presented by the petitioner in accordance with law, if the same is in order as per provision of the Indian Stamp Act, 1899 and the Registration Act, 1908 and the Rules made there under and not prohibited for registration by any order/injunction/attachment, passed by a court, or competent authority.

Interlocutory applications pending, if any, shall stand closed. No costs.

DATE:03—12—2018

AVS



A.RAJASHEKER REDDY,J