

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON Nos.42464 & 42714 of 2018

COMMON ORDER:

These writ petitions are filed challenging the order dated 16.10.2018 passed by the 3rd respondent in Appeal Nos.1 and 2 of 2018, confirming the order of Intimation of Refusal Nos.1 and 2 dated 01.02.2018 passed by the 5th respondent; and for a consequential direction to the 5th respondent to register the sale deeds dated 05.12.2017 presented by the petitioners in respect of land admeasuring 85.56 square yards and 96.8 square yards, situated in Sy.No.364 of Vinukonda near D.No.29-245 of Vinukonda Municipality, Guntur District.

Heard learned counsel for the petitioners who submits that the subject property is not a Government Property or Assigned Land.

Learned Assistant Government Pleader for Revenue produced written instructions dated 27.11.2018 stating that the subject properties are private properties; that the same were erroneously included in the list of prohibited properties and that the subject land does not come under the purview of Section 22(A)(1)(b) of the Registration Act. He also submits that a report was already submitted to the District Collector to delete the subject properties from the prohibited properties list.

In the present case, since it is stated by the respondents that the subject lands are private lands and since the respondents themselves state that the subject lands were erroneously included in the list of prohibited properties and also they are taking steps for deletion of the said lands from the list, and since the impugned order dated 16.10.2018 is bereft of reasons as contended by the learned counsel for the petitioner, both the writ petitions are allowed and the impugned order dated 16.10.2018 passed by the 3rd respondent in Appeal Nos.1 and 2 of 2018 is set aside. The 5th respondent is directed to receive the documents presented by the petitioners in respect of the subject property and register the same if the same are in order as per the provisions of Indian Stamps and Registration Act and the Rules made thereunder. No order as to costs.

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

A.RAJASHEKER REDDY, J

04.12.2018
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