

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.43979 of 2018

ORDER:

The present writ petition is filed to declare the action of respondents 2 to 4 in including the land admeasuring Ac.4-72 cents in Sy.No.490 of Tadikalapudi Village, Kamavarapukota Mandal, West Godavari District in prohibitory lands list as DKT and consequential action of respondent No.5 in refusing to entertain the registration of alienations for the subject land as assigned land as illegal and arbitrary.

It is stated by the learned counsel for the petitioner that similar issue fell for consideration before the learned single Judge of this Court in WP.No.29838 of 2018 and this Court by order dated 28.08.2018, allowed the said writ petition and a Division Bench of this Court in WA.No.1913/2017 also upheld similar decision passed by the learned single Judge in WP.No.37750/2017, dated 13.11.2017, which is not disputed by the learned Assistant Government Pleader for Revenue.

In view of the above and for the reasons alike in WP.No.29838 of 2018, this writ petition is also allowed with a direction to the respondents to delete the land of the petitioners from the prohibitory list forthwith and the petitioners are directed to present the document for registration before the 5th respondent and on such submission, the 5th respondent shall consider the same for the purpose of registration strictly in accordance with the provisions of Stamp Act, 1899 and Registration Act, 1908, without reference to the prohibitory list

under Section 22-A of the Registration Act, 1908 and proceed in accordance with law. This exercise shall be completed within four weeks from the date of submission of the document by the petitioners. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.RAJASHEKER REDDY,J

04-12-2018
Nvl

