

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.45478 of 2018

ORDER:

It is the case of the petitioner though the subject land is assigned prior to 1954, but the subject land i.e., Acs.2.06 cents, situated at Krishnayapalem Village, Mangalagiri Mandal, Guntur District, is included in the list of prohibited properties under Section 22-A of the Registration Act, 1908 vide proceedings issued in Rc.No.2207/2015-E5, dated 25.04.2016 .

A perusal of the impugned proceedings goes to show that the subject land is assigned prior to 1954. The Government of Andhra Pradesh has issued G.O.Ms.No.574, dated 16.11.2018 for deletion of lands which are assigned prior 1954, from the list of prohibited properties as per Section 22-A of the Registration Act. In view of the same, impugned order dated 29.08.2018 passed by the 5th respondent, refusing to register the document presented by the petitioner, cannot be sustained.

When impugned proceedings show that the subject land is assigned prior to 1954, the question of continuation of the same in the list of prohibited properties under Section 22-A of the Act does not arise.

In view of the same, this writ petition is allowed directing the 5th respondent to entertain the documents presented by the petitioner in respect of the subject property and register the same, if not prohibited for registration by any order/injunction/attachment, passed by a court, or competent authority. 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

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Date: 14.12.2018

kvs

