

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.45720 of 2018

ORDER:

This writ petition is filed to declare the Refusal Order No.19/2017, dated 05-06-2017 passed by the 5th respondent vide document P.No.393/2017, dated 05-06-2017 presented by the petitioner in respect of land in D.No.116/B an extent of Ac.0-44 cents and D.No.116/2 an extent of Ac.0-10 cents total land admeasuring Ac.0-54 cents situated at Krishnayapalem Village, Mangalagiri Mandal, Guntur District on the ground that the 2nd respondent included the aforesaid lands in the Prohibitory List issued in Rc.No.2207/2015-E5, dated 25-04-2016 and also to declare the action of the 5th respondent refusing to receive the document P.No.393/2017, dated 05-06-2017 pursuant to G.O.Ms.No.575 and G.O.Ms.No.580, dated 16-11-2018 as illegal and arbitrary and consequently to direct the 5th respondent to receive and register the document presented by the petitioner.

Learned Assistant Government Pleader for Revenue produced written instructions stating that the subject land is classified as "Government Poramboke" and noted in Column No.15 of RSR as "Area included in Sy.No.116/1" total extent of Ac.5-30 cents is classified as Government Poramboke and later it was sub-divided and assigned in the year 1926.

Learned counsel for the petitioner submits that in similar circumstances, this Court has allowed WP.No.45797 of 2018, by its order dated 17-12-2018.

In view of the same, this writ petition is also allowed. The impugned order dated 05-06-2017 is hereby set aside. 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

31-12-2018
Nvl

