

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No.46139 of 2018

ORDER:

The case of the petitioners is that they are the absolute owners and possessors of land to an extent of Ac.0-45 cents in Sy.No.15/2, Ac.0-41 cents in Sy.No.15/2 and also an extent of Ac.0-54 cents in Sy.Nos 15/2 and 15/3 respectively situated in Duvvada Village having purchased the same under registered sale deeds vide document bearing Nos 1017 of 2004, dated 08-03-2004, 1243 of 2003, dated 31-03-2003 and 1244 of 2003, dated 31-03-2003 respectively. In the Village Settlement Register, the land in Sy.Nos 15/2, 15/3 of Duvvada Village is shown as patta land belonging to "Patra Venkata Kameswara Rao". This entry relates to the period prior to the formation of the erstwhile State of Andhra Pradesh, which came into existence on 01-10-1953 and it also indicates that the patta was granted prior to 18-06-1954, when for the first time, the non-alienation clause was introduced in the grants made under BSO-15. It is further case of the petitioners that an extent of Ac.7-48 ½ cents in Sy.No.15 of Duvvada Village was originally sold by the then owner Patra Venkata Kameswara Rao to one Vaddapalli Rajam Raju under a registered sale deed document bearing No.3176 of 1948, dated 29-10-1948. Thereafter, another extent of Ac.1-50 cents was sold by said Patra Venkata Kameswara Rao to one Galla Chellaiah, under a registered sale deed document No.1429 of 1960, dated 30-04-1960. The petitioners purchased their

respective extents of land from the legal representatives of said Galla Chellaiah and their lands form part of the extent of Ac.1-50 cents that was sold in favour of Galla Chellaiah. Aggrieved by action of the 1st respondent in issuing the impugned G.O.Ms.No.193, dated 05-05-2016 under Section 22A (1) (e) of the Registration Act, 1908 including the land in Sy.No.15 and its sub-divisions in Annexure thereto, the present writ petition is filed.

Learned counsel for the petitioners submits that in similar circumstances, this Court has allowed WP.No.42044 of 2018 by its order dated 23-11-2018. The same is not disputed by learned Assistant Government Pleader for Revenue.

In view of the same, for the reasons alike in the said order, this writ petition is also allowed setting aside the inclusion of petitioners agricultural land in an extent of Ac.0-45 cents in Sy.No.15/2, Ac.0-41 cents in Sy.No.15/2 and also an extent of Ac.0-54 cents in Sy.Nos 15/2 and 15/3 respectively situated in Duvvada Village in the prohibited list of properties as stated in the Annexure to G.O.Ms.No.193 Revenue (Assn.I) Department, dated 05-05-2016. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

19-12-2018

Note:

Annex a copy of order in WP.No.42044 of 2018, dated 23-11-2018 to this order.

B/o.

Nvl



