

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO.39804 OF 2017

ORDER:

The petitioner states that she along with one Sri Maddala Ramachandra Murthy, jointly purchased different lands in different survey numbers at Aaredu village and Gram Panchayat, Undi Mandal, West Godavari district through registered sale deed vide document No.1036/1983. Out of the different lands jointly purchased by the petitioner and said Sri Maddala Ramachandra Murthy, the land of an extent of 2.93 cents in Sy.No.143/1 was derived to the petitioner in an oral settlement between the petitioner and said Sri Maddala Ramachandra Murthy. In the Registered document No.1036/1983, Sy.No.143/1 was shown as low level wet land admeasuring Ac.2.93 cents. Since then, the said land is in possession of the petitioner.

2. The petitioner further states that recently, she came to know that the land in Sy.No.143/1 admeasuring Ac.2.93 cents is entered in the list of Prohibited properties by Notification dated 1.6.2016 by the 4th respondent. When the son of the petitioner approached the Sub-Collector, Narasapuram, to know the reasons of inclusion of said land of an extent of Ac.2.93 cents in Sy.No.143/1 in the list of prohibited properties, the

Sub-Collector stated that the land in Sy.No.143/1 admeasuring Ac.2.93 cents, is pertaining to the Government AWD (Assessed Waste Dry) and also it was assigned land and hence, it was entered in the list of prohibited properties. Challenging the inclusion of the said land in the list of prohibited properties, the present Writ Petition is filed.

3. The issue relating to the inclusion of properties under Section 22 (A) (1) of Registration Act came up for consideration before a Full Bench of this Court in the case of VINJAMURI RAJAGOPALA CHARY vs. STATE OF ANDHRA PRADESH AND OTHERS¹.

4. The Full Bench of this Court, in the above decision in the case of VINJAMURI RAJAGOPALA CHARY vs. STATE OF ANDHRA PRADESH AND OTHERS¹, gave liberty to the parties affected by inclusion of the properties in the list of prohibited properties, to apply for deletion from the list or modification thereof, to the concerned authorities and the concerned authorities were directed to consider the request in proper perspective and pass appropriate orders.

5. In view of the same, this Writ Petition is disposed of giving liberty to the petitioner to bring it to the notice of the District Collector, West Godavari, Eluru, by filing an application for deletion of the property claimed by the petitioner, justifying

¹ 2016 (2) ALD 236 (FB)

her claim, and as and when the petitioner files such an application, the District Collector, West Godavari, Eluru, shall dispose of the same in accordance with law, within a period of three months from the date of receipt of a copy of the said application.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

Date: 20.2.2018

KPM

A. RAMALINGESWARA RAO,J

