

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.47757 of 2018

ORDER:

This writ petition is filed to declare the Refusal Order No.1/2018, dated 24-04-2018 passed by the 5th respondent vide document P.No.580/2018, dated 24-04-2018 presented by the petitioner in respect of land in D.No.127/7 and 8 an extent of Ac.0-20 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.4245/2015/E1, dated 12-12-2017 and also to declare the action of the 5th respondent refusing to receive the document P.No.580/2018, dated 24-04-2018 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.

It is the case of the petitioner that though the subject land is included in the prohibitory list furnished under Section 22-A (i) and 22-A (1)(e) of the Registration Act vide proceedings in Rc.No.2207/2015-E5, dated 25-04-2016 issued by the 2nd respondent, wherein the subject land is shown in Annexure-I as assigned land and in Annexure-V as assigned land prior to 1954. In view of the G.O.Ms.No.s 575 and 580, dated 16-11-2018 issued by the Government, the subject land is liable to be deleted from the list furnished by the 2nd respondent

dated 25-04-2016, since the subject land was assigned prior to 1954.

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. 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. The impugned order dated 24-04-2018 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.

31-12-2018
Nvl

A.RAJASHEKER REDDY,J

