

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 44361 of 2017

Order:

The petitioners claim that they are the absolute owners and possessors of the agricultural lands of an extent of Ac.16.08 guntas in Survey No.45 of Aadibatla village, Ibrahimpatnam Mandal, Ranga Reddy District. They claim to be the legal heirs of one late Neerudu Rama Swamy. He was a protected tenant and later on became a statutory tenant in view of the notification issued on 01.01.1973 under Section 38-E(1) of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950. The names of the legal heirs were mutated in the revenue records by the fourth respondent by proceedings dated 30.10.1995. An extent of Ac.3-10 gts., was sold by one of the brothers of the petitioners in favour of some third parties by way of a registered sale deed on 17.08.1987 and the said land is situated in Survey No.45. When the petitioners wanted to sell the land in April 2016, the Sub-Registrar refused to register the same, as the said land was included in the list of prohibited properties prepared under Section 22-A of the Registration Act. In view of the same, the petitioners filed W.P.No.8928 of 2017 and the same was disposed of by this Court giving liberty to the petitioners to make an application before the second respondent – District Collector and as and when such application was made by the petitioners, the second respondent – District Collector was directed to dispose of the same in accordance with law. Accordingly, the petitioners submitted a representation to the District Collector on 01.05.2017 enclosing a copy of the order in W.P.No.8928 of 2017, dated 15.03.2017. When no orders were passed on the application of the petitioners dated 01.05.2017, the present Writ Petition is filed.

Learned Government Pleader, on the basis of instructions, submits that on the application of the petitioners, a report was called for from the Tahsildar, Ibrahimpatnam Mandal and accordingly the Tahsildar, Ibrahimpatnam Mandal submitted his report to the Revenue Divisional Officer, Ibrahimpatnam Division on 23.12.2017.

In view of the report submitted by the Tahsildar, Ibrahimpatnam Mandal on 23.12.2017 to the Revenue Divisional Officer, Ibrahimpatnam Division, the second respondent – District Collector shall pass appropriate orders in accordance with law after obtaining the report from the Revenue Divisional Officer, Ibrahimpatnam Division, within a period of eight (8) weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 23.01.2018
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