

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO. 44780 OF 2017

ORDER:

It is the case of the petitioner that an extent of Ac.4.03 cents in Sy.No.292 of Srikalahasthi village, Chittoor district was classified as patta dry land in revenue records and it originally belongs to one Sri Arunachalam Chettiyar. His name was recorded in the revenue records. One Smt. Kailasam Munemma Bhemmaiah purchased an extent of A.1.00 cents out of the said Ac.4.03 cents on 18.8.1990 under registered sale deed and took possession of the property. After her death, her legal heirs succeeded to the said property. They sold an extent of Ac.0.90 cents out of the total extent of Ac.1.00 cents to the 1st petitioner on 15.5.2006 under a registered sale deed bearing document No.1014/2006 and he applied for conversion of the land from agricultural to non-agricultural land. The Revenue Divisional Officer, Tirupathi, accorded permission for such conversion on 20.7.2010. He also applied for regularization of unapproved layout and the same was regularized by Tirupathi Urban Development Authority by proceedings dated 30.1.2012. Thereafter, the 1st petitioner gifted an extent of 1200 Sq.Yards to the 2nd petitioner under registered gift deed dated 10.5.2013. Thus, the 2nd petitioner

continued in possession of 1200 sq.yards of land. However, a news item was published in Andhra Jyothi daily on 12.8.2012 for protection of temple lands and the 5th respondent herein communicated a letter dated 1.1.2014 to the 2nd respondent informing that the land of an extent of Ac.4.03 cents situated in Sy.No.292 is a specific endowment attached to the 6th respondent temple and accordingly, it was included in the list of prohibited properties under section 22 (A) (1) (C) of Registration Act. Challenging the inclusion of the said land, and more particularly, the land of an extent of Ac.0.90 cents claimed by the petitioners in Sy.No.292 of Srikalahasti village, Chitttor district, the present Writ Petition is filed.

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.

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

¹ 2016 (2) ALD 236 (FB)

concerned authorities were directed to consider the request in proper perspective and pass appropriate orders.

In view of the same, this Writ Petition is disposed of giving liberty to the petitioners to bring it to the notice of the District Collector, Chittoor, for deletion of the property claimed by the petitioners, justifying their claim, and as and when the petitioners file such an application, the District Collector, Chittoor, 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.



A. RAMALINGESWARA RAO,J

Date: 24.1.2018

KPM