

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.45223 OF 2017

ORDER:

The petitioner states that he is an ex-serviceman and he was assigned the land of an extent of Acs.5.00 of land in Survey No.596/2 of Perecherla Village, Medikondur Mandal, Guntur District by proceedings of the fifth respondent, dated 29.08.1985. The Gram Panchayat, Perecherla, passed a resolution on 26.07.1986 stating that it had no objection for assigning the said land. D Form patta was issued on 15.06.1991 and the petitioner was put in possession of the same. The Government issued G.O.Ms.No.1117, dated 11.11.1993, permitting the sale of the lands assigned to the ex-serviceman after lapse of ten years from the date of assignment. The petitioner executed a Gift Deed on 11.10.2011 in relation to an extent of Acs.3.00 of land in favour of his wife and daughter. They were issued pattadar pass books and title deeds in respect of the said extent of Acs.3.00 of land. When the petitioner wanted to sell the balance extent of Acs.2.00 of land in August, 2013, he was informed that the said land was an assigned land and he cannot register the document. In those circumstances, he filed W.P.No.23883 of 2013 and the said writ petition is pending. But when the writ petition was pending, in view of Section 22-A(1)(a) of the Registration Act, the land was included in the list of prohibited list and a Full Bench of this Court examined the issue relating to such lands in **Vinjamuri Rajagopala Chary and Others vs. State of A.P.**,¹ and issued certain directions. Pursuant to the said directions, the petitioner

¹ 2016 (2) ALD 236 (FB) = 2016 (1) ALT 550 (FB)

submitted an application to the third respondent on 03.11.2016 and when the same was not disposed of, he filed the present writ petition.

The learned counsel for the petitioner submits that pursuant to the application filed by the petitioner on 03.11.2016, the third respondent called for a report from the fifth respondent and on furnishing the report by the fifth respondent, the Revenue Divisional Officer addressed a letter to the third respondent on 05.07.2017 recommending for deletion of an extent of Acs.5.00 of land in Survey No.596/2 of Perecherla Village from the list of prohibitory lands and in spite of the said report, the third respondent has not passed any orders.

In view of the above facts, since the matter is pending before the third respondent and a report was already submitted to him by the Revenue Divisional Officer, in tune with the report of the fifth respondent way back on 05.07.2017, the third respondent is directed to dispose of the application filed by the petitioner on 03.11.2016 within a period of four weeks from the date of receipt of copy of this order.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

30.01.2018
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