IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

SATURDAY ,THE NINETEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 22825 OF 2024

Between:

Inuganti Madana Ram Mohan Rao, S/o Satyanarayana Rao, Occ. Cultivation, Aged 63 Years, R/o Plot No. 102, Elite Castle Eluru Town and Mandal and District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary to Government, Revenue (Stamps and Registration) Department Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Registrar, Eluru, Eluru District.
3. The Sub Registrar, Vatiuru, Eluru District.
4. The Sub Divisional Officer, Eluru Sub Division, Eluru, Eluru District. (Formerly West Godavari District).
5. Mula Nagi Reddy, S/o. Konda Reddy, Aged 58 years, Occ. Business, R/o. D.No.24-4-7/2, GTC Road, Manchineela Thota, Pathebada, Eluru, Eluru District. (Formerly West Godavari District).

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may

be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the proceedings in C.No.04/CR/SDO-E/2021, Dt. 07.05.2021 addressed by 4th respondent to 3rd respondent and consequential action of 3rd respondent thereby including petitioners' vacant site property admeasuring an extent of Ac. 0.48 Cents in R.S.No. 57/1A of Dondapadu Revenue Village of Pedavegi Mandal in Eluru District (Formerly West Godavari District), in prohibitory list for registration, as illegal, irregular, irrational, without any authority of law, violative of principles of natural justice and violative of provisions of The Registration Act, 1908 and offends Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents to remove his said property from the prohibited list of properties for registration being maintained by 3rd Respondent by allowing registration of any documents of conveyance if executed and presented by him.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of proceedings of 4th Respondent in C.No.04/CR/SDO-E/2021, Dt. 07.05.2021 and consequently direct the Respondents 1 to 3 to delete petitioners vacant site property admeasuring an extent of Ac. 0.48 Cents in R.S.No. 57/1A of Dondapadu Revenue Village of Pedavegi Mandal in Eluru District (Formerly West Godavari District), from the prohibited list of properties for registration, by allowing registration of any documents of conveyance if executed and presented by him, pending disposal of the main Writ Petition.

Counsel for the Petitioner(s): SRI. NIMMAGADDA REVATHI

Counsel for the Respondent Nos.1 to 4: GP FOR REGISTRATION AND STAMPS

Counsel for the Respondent No.5: NONE APPEARED

The Court made the following: ORDER

APHC010445562024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3328]**
(Special Original Jurisdiction)

SATURDAY ,THE NINETEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 22825/2024

Between:

1. INUGANTI MADANA RAM MOHAN RAO, S/O SATYANARAYANA RAO, OCC. CULTIVATION, AGED 63 YEARS, R/O PLOT NO. 102, ELITE CASTLE ELURU TOWN AND MANDAL AND DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE (STAMPS AND REGISTRATION) DEPARTMENT SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE DISTRICT REGISTRAR, ELURU, ELURU DISTRICT.
3. THE SUB REGISTRAR, VATIURU, ELURU DISTRICT.
4. THE SUB DIVISIONAL OFFICER, ELURU SUB DIVISION, ELURU, ELURU DISTRICT. (FORMERLY WEST GODAVARI DISTRICT).
5. MULA NAGI REDDY, S/O. KONDA REDDY, AGED 58 YEARS, OCC. BUSINESS, R/O. D.NO.24-4-7/2, GTC ROAD, MANCHINEELA THOTA, PATHEBADA, ELURU, ELURU DISTRICT. (FORMERLY WEST GODAVARI DISTRICT).

...RESPONDENT(S):

Counsel for the Petitioner:

1.NIMMAGADDA REVATHI

Counsel for the Respondent(S):

1.GP FOR REGISTRATION AND STAMPS

The Court made the following:

ORAL ORDER:

Heard Ms.P.Haritha, learned Counsel appearing on behalf of Ms. Nimmagadda Revathi, learned Counsel for the Petitioner and Sri Arjun Chowdary, learned Assistant Government Pleader.

2. Learned Assistant Government Pleader has submitted Written Instructions furnished by the Sub-Registrar, Vatluru, West Godavari District dated 16.10.2024. A copy of it has been served on the learned Counsel for the Petitioner. The same is taken on record. The relevant portion of the Written Instructions is usefully extracted hereunder:

> *"In this connection I submit that the subject land admeasuring an extent of Ac.0.25 cents out of Ac 0.48 Cents in R.S.No.57/1A of Dondapadu Revenue Village of Pedavegi Mandal in Eluru District is classified as Assigned Land.*
>
> *I submit that the 4th respondent (Sub Divisional Officer, Eluru) addressed a letter to the 5th respondent (SRO, Vatluru) vide C.No.04/CR/SDOE/2021 dated 07.05.2021 stating that disposal of the immovable properties and to stop their further transactions and keep them under abeyance against each person as mentioned therein till completion of the investigation in the criminal cases.*
>
> *I submit that as per the letter of the 4th respondent, the 3rd respondent has included the subject property in the prohibited property list. The registering officer cannot proceed for registration unless and until the deletion/ modification / alteration to the 22(A) prohibited list by the competent authority."*

3. Having regard to the above extract, this Court deems it appropriate to dispose of this Writ Petition, at the admission stage, without going into merit, giving liberty to the Writ Petitioner to take appropriate steps in accordance with law.

4. With these observations and directions, this Writ Petition stands disposed of. No order as to costs.

5. Interlocutory Applications, if any, stand closed in terms of this order.

//TRUE COPY//

Sd/- A. VIJAYA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary to Government, Revenue (Stamps and Registration) Department Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Registrar, Eluru, Eluru District.
3. The Sub Registrar, Vatiuru, Eluru District.
4. The Sub Divisional Officer, Eluru Sub Division, Eluru, Eluru District. (Formerly West Godavari District).
5. One CC to Sri. **Nimmagadda Revathi**, Advocate [OPUC]
6. Two CCs to GP For Registration And Stamps ,High Court Of Andhra Pradesh. [OUT]
7. **THREE CD Copies**

AL

HIGH COURT

DATED:19/10/2024

ORDER

WP.No.22825 of 2024



DISPOSING OF THE WP WITHOUT COSTS