



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

[3458]

**TUESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 8858 OF 2020

Between:

1.PALLA RAJA GOPAL, S/O P. C. VEERAAIAH, HINDU, AGED 58 YEARS, OCC-AGRICULTURIST R/O.D. NO. 1-991, R. G. BANK AREA, CHILAMKURU VILLAGE, YERRAGUNTALA MANDAL, YSR KADAPA DISTRICT ANDHRA PRADESH

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT

2.THE JOINT SUBREGISTRARI, KADAPA, Y.S.R.KADAPA DISTRICT, AP

3.THE DISTRICT COLLECTOR, YSR KADAPA DISTRICT, KADAPA, ANDHRA PRADESH - 516 001.

4.THE TAHSILDAR, CHINNACHOWK MANDAL, R/O TAHSILDAR OFFICE, CHINNACHOWK, KADAPA, YSR KADAPA DISTRICT, ANDHRA PRADESH - 516 001. RR 3 AND 4 ARE IMPEADED AS PER THE COURT'S ORDER DT.02.03.2026 IN I.A.NO.01 OF 2026.

...RESPONDENT(S):

Counsel for the Petitioner:

1.KEERTHI KIRAN KOTA

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following order:

Heard Sri Keerthi Kiran Kota, learned counsel for the petitioner and Sri M.Chandra Shekar, learned Assistant Government Pleader for Revenue appearing for the respondents.

2. The contention of the petitioner in the instant Writ Petition is against the proceedings of the respondent No.2 in issuing the refusal order No.01 of 2020, dated 19.03.2020, refusing to register the sale deed, dated 18.03.2020, admitted as pending in P.No.83 of 2020 and consequently sought for a direction to respondent No.2 to register the sale deed, dated 18.03.2020 in favour of the petitioner from Sri Mule Venkata Ramana Reddy and Sri Mule Srinivasula Reddy.

3. The petitioner contends that he had purchased the subject property of Ac.0.05 cents equal to 242 Sq.yds in Sy.No.1001/1 of Chinnachowk Village, within the limits of Kadapa Municipal Corporation, for a valuable sale consideration and the vendors have also executed the sale deed, dated 18.03.2020 and the same was presented before respondent No.2. However, respondent No.2 rejected the sale deed, dated 18.03.2020 for registration vide proceedings, dated 19.03.2020 on the ground that the subject property is placed under prohibited category list under Section 22-A(1)(b) of the Registration Act, 1908.

4. It is contended that the petitioner's predecessors in title are the absolute owners of the subject property. There was a partition amongst the family

members of the petitioner's vendors. When the said partition deed was sought to be registered, on similar grounds, the registration was refused. Thus, they have approached this Court by way of a Writ Petition in W.P.No.18046 of 2013. This Court vide, order dated 24.12.2013, disposed of the Writ Petition setting aside the objections of the registration department. Accordingly directed the Sub-Registrar to receive the document and register the same, within a period of three (03) weeks from the date of receipt of the copy of the order. It is stated that the petitioner's vendors have got title in respect of the subject property through the said partition. The petitioner has purchased the same in 2020. However, registration of the sale deed was rejected stating that the property is placed under Section 22-A(1)(b) of the Registration Act, 1908.

5. It is contended by the learned counsel for the petitioner that the subject property is placed under Section 22-A(1)(b) of the Act on account of the fact that the subject property was alienated in favour of 'Rajeev Gruhakalpa' vide proceedings, dated 26.09.2008. Learned counsel contends that perusal of the said possession certificate reflects that in respect of the said Sy.No.1001/1, Ac.3.38 cents was delivered. However, the respondents have placed an extent of Ac.3.75 cents under prohibited category.

6. The learned Assistant Government Pleader for Revenue contends that the subject property was initially assigned in favour of one Samuel and the said assignment was cancelled and resumed to the Government. Thereafter the subject property was alienated in favour of 'Rajeev Gruhakalpa' for construction of houses for allotment to the weaker sections. Therefore the

property was placed in the list of prohibited category from registration. Since, the subject lands are assigned lands, it always stood in the name of the Government in the revenue records. Therefore the same has been alienated for construction of houses. It is further argued by the learned Assistant Government Pleader that the petitioner has to approach the appropriate authority for deletion of the property from the prohibited category.

7. The learned counsel for the petitioner argues that an endorsement dated 31.05.2013 was issued by the Tahsildar, acting on a request made by the petitioner under the RTI Act to furnish details of resumption orders, if any, informing the petitioner that the information sought under the RTI Act is not traceable. In view of the same, the learned counsel for the petitioner argues that the respondents are not justified in including the subject property in the prohibited category under Section 22-A(1)(b) of the Act.

8. Considered the submissions.

9. In the light of the Full Bench Judgment of composite High Court of Andhra Pradesh in the case of ***Vinjamuri Rajagopala Chary Vs. Principal Secretary, Revenue Department, Hyderabad***¹, this court is of the view that the petitioner must approach the appropriate authority under law seeking deletion of the property from the list of prohibited properties under Section 22-A(1)(b) of the Act. Therefore this Court deems it appropriate to dispose of the writ petition, granting liberty to the petitioner to file an application before the 3rd

¹2015 SCC OnLine Hyd 407

respondent seeking deletion of the subject property from the prohibited category under Section 22-A(1)(b) of the Act. Upon filing of such application, the 3rd respondent shall pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

10. The petitioner is at liberty to raise all contentions raised in the writ petition before the authority while the application is taken up for consideration.

11. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Date: 28.04.2026
BSK

26

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