



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

[3330]

THURSDAY, THE TWENTY THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

**PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

**WRIT PETITION Nos.12860, 12308, 12322, 12325, 12804, 12806,
12837, 12838, 12858 and 30872 of 2023 and 11346 of 2024**

WRIT PETITION No.12860 of 2023

Between:

1. PULUSU SRINIVASA RAO,, S/O PULUSU RAMA RAO, AGED ABOUT 44 YEARS, OCC. , R/O D.NO.143, RAMARAOPET LANE, NARSIPATNAM MUNICIPALITY, ANAKAPALLI DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE (ASSN.I) DEPARTMENT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, ANDHRA PRADESH.
2. THE DISTRICT COLLECTOR, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT, ANDHRA PRADESH.
3. THE REVENUE DIVISIONAL OFFICER, NARSIPATNAM, VISAKHAPATNAM, A.P.
4. THE TAHSILDAR, NARSIPATNAM MANDAL, NARSIPATNAM, VISAKHAPATNAM, A.P.
5. THE JOINT SUB REGISTRAR, NARSIPATNAM MANDAL, NARSIPATNAM, VISAKHAPATNAM, A.P.
6. THE DISTRICT REGISTRAR, ANAKAPALLI, ANAKAPALLI DISTRICT, A.P.

...RESPONDENT(S):

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 action of the 5th respondent in rejecting to register the sale deed dated 12-04-2023 presented by the petitioner and his vendors in respect of the land of an extent of 377.09 Square Yards in Survey No.676/2, Balighattam Village, Narsipatnam Mandal, Anakapalli District, Andhra Pradesh, as illegal, arbitrary, unconstitutional and in violation of the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act 1977 and Article 300-A of the Constitution of India and contrary to G.O.Ms.No.575, Revenue (Assignment-I) Department dated 16-11-2018, this Hon'ble Court's order dated 30-09-2022 in I.A. No.1 of 2022 in W.P.No.31105 of 2022 and consequently direct the 5th respondent to receive and register the sale deed dated 12-04-2023 in respect of the land of an extent of 377.09 Square Yards in Survey No.676/2.

Counsel for the Petitioner:

1.D.GAYATHRI

Counsel for the Respondent(S):

- 1.GP FOR REVENUE
- 2.GP FOR REGISTRATION AND STAMPS (AP)

The Court made the following:

COMMON ORDER:

Since the issues involved in all these cases are identical in nature, these writ petitions are heard together and decided by a common order. For the sake of convenience the facts in W.P.No.12860 of 2024 is being taken as lead petition for disposal of all these writ petitions.

2. The 5th respondent – Joint Sub Registrar has refused vide Refusal Order Nos.163/2023, 77/2023, 78/2023, 60/2023, 161/2023, 168/2023, 169/2023, 162/2023, 13/2023 and 163/2023 to register the sale deeds for an extent of 377.09 sq.yrds, 432 sq.yrds, 190 sq.yrds, 400.106 sq.yrds, 290.4 sq.yrds, 290.4 sq.yrds, 290.4 sq.yrds, 290.4 sq.yrds, 290.4 sq.yrds, 0.90-2 acres, 377.09 sq.yrds presented by the writ petitioners.

3. Succinctly, the these Writ Petitions are filed under Article 226 of the Constitution of India to declare the action of the 5th respondent in rejecting to register the sale deeds presented by the petitioners and his vendors in respect of the land in Survey No.676/2, Balighattam Village, Narsipatnam Mandal, Anakapalli District, Andhra Pradesh, as illegal, arbitrary, unconstitutional and in violation of the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977, and Article 300-A of the Constitution of India and contrary to G.O.Ms.No.575, Revenue (Assignment-I) Department dated 16.11.2018 and it is contrary to the order this Hon'ble Court's order dated 30.09.2022 in I.A.No.1 of 2022 in W.P.No.31105 of 2022 and consequently prayed to direct the 5th

respondent to receive and register the sale deeds presented presented by the writ petitioners in Survey No.676/2.

4. The 5th respondent – Joint Sub Registrar has refused to register the pending Document, on the ground that the land in survey number 676/2 is placed under Section 22-A of the Registration Act in the list of Government Properties furnished by the Tahsildar through proceedings vide Lr. No: 3795/2007/E1 dated 20.09.2018 of the District Collector Visakhapatnam and the said proceeding is still in force. Once a communication referable to Section 22-A of the Registration Act emerges from a revenue authority, the Registering Authority has no option but to refuse registration.

5. The proceedings of the Joint Sub-Registrar were assailed in the present writ petitions on the ground that the land in question, Sy.No.676/2, was assigned prior to 1954 and is covered by G.O.Ms.No.575, Revenue, dated 16.11.2018. Sri Setti Krishna Babu and two others filed a writ petition before this court (W.P.No.31105 of 2022). This Hon'ble Court allowed the petition vide an order dated 04.06.2024, and directed the deletion of the land to an extent of Ac.4-51 cents in Survey No. 676/2, Balighattram Village, Narispatnam Mandal, Anakapalli District. The documents that were presented by the writ petitioners for registration are carved out of the same survey number.

6. Heard the learned senior counsel Smt. A.Chaya Devi assisted Sri T.D.Phani Kumar, for the petitioners and learned Assistant Government Pleader for Revenue appearing for the State.

7. The learned senior counsel would submit that this Court was pleased to pass an order dated 30.09.2022 in I.A.No.1 of 2022 in W.P.No.31105 of 2022, directing the 5th respondent herein to receive, register and release the document submitted by the petitioner therein, in respect of land in Survey No.676/2, Balighattam Village, Narsipatnam Mandal, Anakapalli District despite the vendors of the petitioner and the petitioner submitted the document for registration enclosing the order copy in W.P.No.31105 of 2022, the 5th respondent has refused to register the sale deeds, on the ground that the sale deeds that presented by a different person, other than the writ petitioner in W.P.No.31105 of 2022 and by once again stated that the subject property is covered by the prohibition under Section 22-A(1)(a) of the Registration Act, 1908, and orally insisted the writ petitioners to get a fresh Court order, even without considering the order passed in W.P.No.31105 of 2022 which is passed in respect of property which is part and parcel of the land to an extent of Acs.4.51 cents in Sy.No.676/2 of Balighattam Village.

8. Hence, prayed to pass similar orders as was passed in W.P.No.31105 of 2022 dated 24.06.2024 and to direct the respondents to receive, register and release the documents in all the present Writ Petitions.

9. It is the argument of the learned Senior Counsel for the writ petitioners that no non-alienation condition was attached to the patta granted prior to 1954. Consequently, because the patta was granted in favor of the assignee before 1954, the assignee possesses the right to

sell the property. For this reason, the rejection of the sale deed for registration is untenable.

10. In the following judgments, the erstwhile Hon'ble High Court of Andhra Pradesh has dealt with this issue and held that the State cannot interfere in assignments made prior to 1954.

(i) KM. Kamallula Basha and others **Vs** District Collector, Chittoor District, Chittoor and others reported in 2009 SCC Online AP 88.

(ii) G. Satyanarayana Vs. The Government of Andhra Pradesh, Represented by its Secretary, Revenue Department, Secretariat, Hyderabad and others, reported in 2014 SCC Online AP 334.

(iii) P.V. Rajendra Kumar and another **Vs** Government of Andhra Pradesh and others reported in 2010 SCC Online AP 919.

11. And the above said judgments are referred in the recent judgment of the Apex Court in Yerikala Sunkalamma and another Vs. State of Andhra Pradesh department of Revenue and others reported in 2025 SCC Online SC 630.

12. It was also held in Satyanarana's case (referred supra-3) and in A.P. State Electricity Board Employees Union Chittoor District Vs. Joint Collector, Chittoor and others reported in 2008 (1) ALD 29 that the

burden of proof lies on the State to demonstrate that the assignments contained a condition of non-alienation.

13. Learned Assistant Government Pleader placed written instructions addressed by the District Collector dated 22.10.2025. The said written instructions outlines that in terms of the G.O.Ms.No.575, Revenue Assignment-I Department, dated 16.11.2018, the subject land has been deleted from the list of prohibited properties under Section 22-A of the Registration Act, as the subject land was assigned prior to 1954, vide proceedings Computer No.44556/2023/L2 dated 19.12.2024 of the District Collector, Anakapalli and there is no objection to allow registrations on the land covered by Sy.No.676/2 of Balighattam Village, Narsipatnam Mandal, Anakapalli District. Therefore, there is no objection for registration of the subject document.

14. In view of the above written instructions submitted by the learned Assistant Government Pleader, and the law laid down by the erstwhile High Court of Andhra Pradesh in the above referred cases this Court directs the 5th respondent Joint-Registrar to receive and register the subject documents in all the Writ Petitions in accordance with law.

15. With the above direction, all the Writ Petitions are disposed of. There shall be no order as to costs.

As a sequel thereto, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 23.10.2025

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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Date: 23.10.2025

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