

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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Writ Petition No.13040 of 2012

ORDER:

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Petitioners claim to be the owners of land admeasuring Ac.1.00 cents in Survey No.20/2V; Ac.1.52 cents in Survey No.20/1V; Acs.2.16 cents in Survey No.20/V; Acs.2.24 cents in Survey No.20/4V and Ac.0.70 cents in Survey No.21 of Balupalli Village, Chintakommadinne Mandal, Kadapa District. They intended to sell the land and accordingly approached the Sub-Registrar, Kadapa (Urban), respondent No.4 herein, with a request to furnish the necessary particulars as to stamp duty, registration charges, etc. The petitioners state that respondent No.4 is refusing to furnish such information on the ground that the Revenue Authorities have included the land in the survey numbers referred to above in the list of the Government lands. The petitioners feel aggrieved by the action of the respondents. They contend that the only basis for the respondents to include the land in the list of the Government lands is the dots that are put on certain columns in the revenue records.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

It appears that the respondents are trying to implement the prohibition contained under Section 22-A of the Registration Act, 1908 (for short 'the Act') as amended by A.P. Act 19 of 2007 vis-à-vis the land in question. If the revenue

records disclose that the land is owned by the Government, no exception can be taken to the steps initiated by the respondents. It is stated that the only entry in the revenue records on the basis of which Section 22-A of the Act is applied, is that there are dots in the relevant columns. This Court in W.P.No.22071 of 2011, has taken the view that the dots that are put in certain columns on the revenue records are not conclusive as to the title that too of the Government. Viewed from any angle, the action of the respondents cannot be sustained.

Hence, the writ petition is allowed and respondent No.4 is directed to furnish the necessary information pertaining to the land in Survey Nos.20/2V, 20/1V. 20/V; 20/4V and 21 of Balupalli Village, Chintakommadinne Mandal, Kadapa District and entertain the document that may be presented in relation thereto. It is, however, made clear that the execution or registration of such document shall not affect the rights of the persons or agencies who are not parties to the transaction. There shall be no order as to costs.

The miscellaneous petition filed in this writ petition also stands disposed of.

L.NARASIMHA REDDY, J.

Dated:27.04.2012

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