

PROCEEDINGS OF THE COLLECTOR, VISAKHAPATNAM

PRESENT : SRI J.SYAMALARAO, I.A.S,

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Sub: Govt. Lands - Assignments - Ex-Servicemen - Visakhapatnam  
District- Gajuwaka Mandal -Sri B.Joannes Ex-serviceman granted  
assigned for for Ac.5.00 Cts in Sy.NO.53/3 of Talarivanipalem  
Village 222/85 dt.18.01.1983 - Representation of the assignee  
requesting to issue NOC to sell away the land in terms of  
G.O.Ms.No.1117 Dt.11.11.1993- request considered - Orders issued.

Reaf:-1) G.O.Ms.No.1117 Revenue (Assgn.) Dept Dt. 11.11.1993  
2) Representation Dt.17.11.08 of Sri B. Jonnes, Ex-Serviceman,  
Near Maridimamba Temple, Lankelapalem, Visakhapatnam.  
3)Report of the Tahsildar, Gajuwaka in Letter c.No.434/2009/  
SA Dt.23.11.2009, 30.09.2010  
4) Lr.Rc.No.2274/09/SA Dt.22.12.09 of the Revenue Divisional  
Officer, Visakhapatnam.

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ORDER:

In the reference 2<sup>nd</sup> read above, one Sri B.Joannes Ex-Servicemen has put in a representation requesting to issue NOC to sell away the land measuring Ac.5.00 Cts covered by Sy.NO.53/3 of Talarivanipalem Village of Gajuwaka Mandal, to meet the medical expenses, which was said to have been assigned to him under Ex-Servicemen category.

The Tahsildar, Gajuwaka and the Revenue Divisional Officer, Visakhapatnam have submitted their reports on the subject matter of the land, which discloses that, the applicant Sri B. Joannes S/o Thomas is an Ex-Serviceman. The then Tahsildar, Anakaplli has granted provisional assignment for the land measuring Ac.5.00 cts in Sy.No.53 Part of Talarivanipalem village in favour of above said individual vide D.R No.222/85 Dt.07.02.1976. Subsequently, the individual was granted D-Form Patta for Ac.5.00 cts in Sy.N0.53/3 of Talarivanipalem Village vide D.R No.222/85 Dt.18.01.1983 by the then Tahsildar Sabbavaram. Necessary changes were also recorded in connected records.

Thereafter, during the year 1995, Sri Maddu Appalanaidu and one another, who were claimed to be sivaijamadars in an extent of Ac.1.00 cts (i.e @Ac.0.50 cts each ) in the land assigned to Sri B.Joannes, have submitted representations requesting to issue Pattas in their favour. Basing on the report of MRO Gajuwaka, the then Collector, Visakhapatnam vide Proceedings Rc.No.5563/95/A10 Dt.23.10.1995, has issued instructions to the MRO Gajuwaka to revise the said assignment to an extent of Ac.4.00 cts in Sy.No.53/3, and also to grant assignment to an extent of Ac.0.50 cts each in favour of the said two individuals. Accordingly, the MRO has issued revised orders to that effect. Aggrieved by this, the assignee has filed WP No.10153/1999 before the Hon'ble High Court seeking Orders declaring the Orders of the Collector, Visakhapatnam. The Sivaijamadars have filed suit in O.S.No.68/1997 before the Hon'ble District Munsif Court at Anakapalli and the same was also dismissed. The Hon'ble High Court in its Orders dt.19.09.2007, has observed that, there is no jurisdiction on the part of the respondents in issuing impugned Orders, and allowed the Writ in favour of Sri B.Joannes. Thereupon, the assignee was granted Pattadar Pass Book and Title

Deed for an extent of Ac.5.00 Cts in Sy.No.53/3 of Talarivanipalem Village on 26.11.2008

The Tahsildar, Gajuwaka and the Revenue Divisional Officer, Visakhapatnam have also recommended to issue NOC to the assignee Sri B.Joannes, Ex-Serviceman for an extent of Ac.5.00 Cts in Sy.No.53/3 of Talarivanipalem Village of Gajuwaka Mandal. Further, as per the G.O 1<sup>st</sup> read above, the Ex-servicemen are free to sell away their assigned lands after a period of 10 years from the date of Assignment. In the instant case, the stipulated period of 10 years elapsed in long back.

Therefore, keeping in view of the circumstances stated above, the applicant Sri B.Joannes, Ex-Serviceman is hereby granted NOC to sell away the land measuring Ac.5.00 Cts covered by Sy.No.53/3 of Talarivanipalem Village of Gajuwaka Mandal. Further, the land in question is hereby deleted from the list of Govt. lands notified U/s 22-A of Registration Act, 1908 (Amended Act, 2007).

The Sub-Registrar, Sabbavaram is requested to take necessary further action in the matter.

(This has got approval of the Collector, Visakhapatnam)

Sd/- P.Bhaskar  
Joint Collector,  
Visakhapatnam

//t.c.b.o//

GAZ. SUPERINTENDENT (E)

To.  
Sri B.Jonnes S/o Thomas, Ex-Srviceman.  
The Sub-Registrar, Sabbavaram  
The District Registrar, Visakhapatnam.  
The Tahsildar, Gajuwaka  
The Revenue Divisional Officer, Visakhapatnam.