

PROCEEDINGS OF THE COLLECTOR, VISAKHAPATNAM

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

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Sub: Lands - Visakhapatnam district - Visakhapatnam (Rural) mandal- Madhurawada village Sy.No.365/1 Ac.4.26 cts - assigned to Pothina Adiyya, Ex-Serviceman - withdrawal of the land from Sec.22-A of Registration Act \_ Orders issued.

Ref:1..CCLA's Ref No.ROM/ROR1/440/2006/dt. Dt.29-9-2006.

2.Orders of the Hon'ble A.P High Court, in WP No.8690/2007  
Dt.29.07.2009

3. Orders of the Hon'ble A.P High Court, in WP No.11433/1995  
Dt. 29.07.2009.

4. Representation of Sri Matta Suvarna Raju, Ex-Servicemen,  
Visakhapatnam.

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ORDER:

Smt Pothina Atchayamma W/o late Pothina Adayya, resident of P.M.Palem village, Visakhapatnam (Rural) Mandal has filed a representation dated 12.09.2006 before the Chief Commissioner of Land Administration, A.P, Hyderabad stating that an extent of Ac.4-26 cts in S.No.365/1 of Madhuravada village was assigned to her late husband Sri Pothina Adayya, Ex-servicemen and now she is the legal representative of the assignee and enjoying the land by raising cashew, Nilagiri and also cultivating the land. She further stated that some extent of the land was encroached by M/s Sreenivasa Vidya Parishad, Visakhapatnam and requested to restore the land and to issue Pattadar Pass Books.

Further, the land in question along with other govt. lands to an extent of 63.50 cts covered by various survey numbers situated in P.M.Palem and Madhurawada villages was handed over to M/s Srinivasa Vidya Parishad, Visakhapatnam on 16.01.1981 pending finalisation of alienation proposals. As part of the land measuring an extent of Ac.28.43 cts was not utilized by the society, the then MRO Visakhapatnam vide his Rc.No.593/94/HA Dt.20.05.1995, has issued show-cause notice to the said society as to why the land should not be resumed to Government. Aggrieved by this, the Educational Society has filed W.P No.11433/1999 before the Hon'ble High Court of AP, Hyderabad. As such no action was taken on the representation of Smt.P.Atchiyamma.

In the meanwhile, Smt. Pothina Atchiyamma being legal representative of deceased assignee has executed a GPA cum sale in favour of Sri Matta Suvarnaraju in respect of the land measuring Ac.4.26 cts covered by Sy.No.365/1 of Madhurawada village on the strength of provision laid down wide G.O.Ms.No.1117 Dt.11.11.1993. The Sub-Registrar has kept the document pending registration as the land in question was notified u/s 22-A of Registration Act. Therefore, Smt Pothina Atchayamma and Sri Matta Suvarnaraju have filed a Writ Petition No.8690/2007 seeking orders declaring the action of the revenue authorities in allotting the land to an extent of Ac.4.26 cts in Sy.No.365/1 in favour of the 9<sup>th</sup> respondents herein i.e Sri Srinivasa Vidya Parishad, as being illegal and arbitrary and also prayed directions to the registering authorities for registration of above said GPA-Cum-Sale Agreement. The Hon'ble High Court has granted interim Orders dt.24.04.2007 in WPMP NO.11138/2007 as prayed for. Thereupon, the Sub-Register, Madhurawada has released the document in favour of Sri Matta Suvarnaraju.

The Hon'ble High Court has clubbed both the Writ Petitions i.e. W.P.No.11433/1995 and W.P.No.8690/2007 and heard the matter together and delivered the judgment vide Orders dated 29.07.2009, which was allowed in their favour. The WP No.11433/1995 filed by M/s Srinivasa Vidya Parishad was allowed except the land in Sy.No.365/1 for Ac.4.26 Cts which is the subject matter of the land in W.P.No.8690/2007.

In the reference 4<sup>th</sup> read above, Sri Matta Suvarna Raju, with whom, the legal representative of the deceased assignee has executed a GPA-Cum-Sale Agreement, while stating all these facts, has requested to withdraw the land in question from Sec.22-A of Registration Act and NOC for sale of the land.

The RDO Visakhapatnam vide his letter Rc.No.2216/2004/D Dt.22.12.2009 has reported that the land measuring Ac.4.26 cts covered by Sy.No.365/1 of Madhurawada village is in possession of Smt. P.Atchiyamma W/o late Adiyaa. The record available in Tahsildar's Office also discloses that the land in question was assigned to Sri Pothina Adiyya, Ex-

Serviceman vide D.R.No.252 dt.30.10.1970. As per the Govt. Orders in G.O.Ms.No.1117 Revenue (ASN.1) Dept Dt.11.11.1993, the Ex-Servicemen are free to sell away their assigned lands after completion of ten years.

In the light of above facts, in consideration of application of Sri Mata Suvarnaraju, the land measuring Ac.4.26 cts covered by Sy.No.365/1 of Madhurawada village of Visakhapatnam (Rural) Mandal is hereby withdrawn from Sec.22-A of Registration and NOC is granted as requested by him.

The Sub-Registrar, Madhurawada is requested to take further action to effect necessary changes in connected records.

(This has got approval of the Collector, Visakhapatnam)

Sd/- D.V.Reddy  
For Collector,  
Visakhapatnam.

//t.c.b.o//

GAZ. SUPERINTENDENT (E)

To.

Sri Matta Suvarnaraju, R/o H.No.55-05-65, Old Venkojipalemm Near

Housing Board Colony, Visakhapatnam-25

The Sub-Registrar, Madhurawada,

The District Registrar, Visakhapatnam.

The Tahsildar, Visakhapatnam (Rural)

The Revenue Divisional Officer, Visakhapatnam