

PROCEEDINGS OF THE DISTRICT COLLECTOR, VISAKHAPATNAM.

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

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Sub: Lands - Visakhapatnam district - Parawada Mandal - Pedomushidivada Village - land in Sy.No.75/4 Ext. Ac.4.45 Cts originally assigned to Sri Lanka Appalaswamy, Ex-Serviceman - subsequently transferred to Sri G.S.Srinivasaraju - land deleted from the purview of Sec.22-A of Registration Act - Orders issued-

Read: 1) Lr.Rc.No.4012/2005/A Dt.10.10.05 of the RDO Visakhapatnam

2) Interim orders of the Hon'ble High Court of A.P Hyderabad in W.P.M.P No.28121/2009 in WP No.21648/2009 dt.09.10.2009

3) Lr.Rc.No.215/2005/SA Dt.05.12.10 of the Tahsildar, Parawadaa.

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ORDER:

One Sri G.S.Srinivasaraju S/o Ramakrishnamraju resident of Visakhapatnam has filed a Writ Petition No.28121/2009 before the Hon'ble High Court of AP, Hyderabad praying orders to direct the 2nd respondent (i.e the Collector, Visakhapatnam) to issue No Objection Certificate in relation to the land Ac.4.45 Cts situated in Sy.No.75/4 of Pedomushidivada Village of Parawada Mandal. The Hon'ble High Court, vide its interim orders dated 09.10.2009 in W.P.M.P NO.28121/2009 in W.P No.28121/2009 has passed orders that "there shall be interim orders as prayed for "

The Tahsildar, Parawada vide reference 3rd read above has submitted a report stating that, the land measuring Ac.4.45 Cts in Sy.No.75/4 of Pedomushidivada Village was originally assigned to Sri Lanka Appalaswamy, Ex-Servicemen vide D.R No.1/1402 dt.30.07.1992. During the year 2007, when the Assignee proposed to sell away the said land, as per the provision laid down in G.O.Mss.No.1117 Dt.11.11.1993., the Sub-Registrar, Sabbavaram has insisted NOC from the Collector, Visakhapatnam. Aggrieved by it, the Assignee has filed a Writ Petition No.3158/2007 against the Sub-Registrar, Sabbavaram praying orders to direct the respondent to register and release the document relating to said land. The Hon'ble High Court in its orders dated 16.04.2007 has disposed of the case duly observing that, when the case of the petitioner is clearly covered by a specific G.O.Ms.No. 1117 dated 11.11.1993, issued by the Government, the respondent cannot still insist on 'no objection certificate' from the District Collector. The Hon'ble High Court has further directed the respondent to receive the documents that may be presented by the petitioner and consider the same for admitting them to registration, without applying any prohibition on the ground that it is an assigned land. Accordingly, the Assignee has sold away the land to the present petitioner.

Thereupon, the vendee (preset petitioner) has filed an application before the Tahsildar, Parawada requesting incorporation of his name in Revenue Records and to issue of Pattadar Pass Books in his favour. Accordingly, the name of the individual got mutated in connected Revenue records and he was also issued PPB/TD for the said land. However, the individual has approached the Hon'ble High Court and filed present Writ Petition requesting to issue directions to the respondent to issue NOC relating to said land, and the Hon'ble High Court has passed interim orders as prayed for.

The assignee has already sold away the said land pursuant to the orders of the Hon'ble High Court issued in WP No.3158/2007 dt.16.04.2007, wherein the Hon'ble High Court has directed the Sub-Registrar, Sabbavaram to register the land without insisting NOC from the Collector, Visakhapatnam. Hence, there may be no necessity for issue of NOC. However, as the land in question is appearing in the list of Govt. lands furnished to the Sub-Registrar U/s 22-A, it is to be deleted from that list.

Therefore, the land measuring Ac.4.45 Cts in Sy.No.75/4 of Pedamushidivada Village of Parawada Mandal is hereby deleted from the purview of Sec.22-A of Registration Act.

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

(This has got approval of the Collector, Visakhapatnam)

Sd/- Pola Bhaskar
Joint Collector,
Visakhapatnam.

//t.c.b.o//

GAZ. SUPERINTENDENT

To.

Sri G.S.Srinivasaraju, S/o Ramakrishnamraju, R/o D.No.27-3-180/1Srinagar
Official Colony, Chinagantyada, Viakhapatnam.

The Sub-Registrar, Sabbavaram

The District Registrar, Visakhapatnam

The Tahsildar, Parawada.

The Revenue Divisional Officer, Visakhapatnam