

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Tribal Welfare – Revision Petition filed by Sri K.Narasimham S/o Papaiah under section 6 of A.P Scheduled Areas Land Transfer Regulation, 1959 against the order of the Agent to Government, Khammam in CMA No.61/97 dated 3.8.2001 – Dismissed – Orders Issued.

---

Social Welfare ( L.T.R.2) Department

G.O.Ms.No.113.

Date:15.11.2003.

Read the following:-

- 1.From Sri M.Rajamalla Reddy, Counsel for the Revision Petitioner R.P dated 15.11.2001.
- 2.From the Collector, Khammam Ir.Rc.No.F1/CMA/61/1997 dated 10.12.2002..

ORDER:

Sri K.Narasimham S/o K.Papaiah has filed Revision Petition through his Counsel before the Government against the order Dated 3.8.2001 in CMA No.61/97 of the Agent to Government, Khammam in respect of land measuring Ac.1.20 in Sy.Nos.29 and 30 situated in Komatlagudem village, Singareni Mandal of Khammam district. After examination of the matter, notices have been sent to both the petitioner and his Counsel to attend the hearing on 3.2.2003. The Counsel for the petitioner has appeared and presented his arguments in line with the R.P which are as follows:-

- a.The suit scheduled land was purchased by the petitioner on 10.12.1962 through sada sale deed.
- b. The petitioner is in possession of the suit land since 1962.
- c..The L.R receipts are in his favour since 1962-63, and
- d. The name of the petitione finds place in pahani record.

2.The Counsel for the petitioner has also adduced that the Agent to Government, Khammam has no jurisdiction to decide the validity of the sale deeds on the ground that they are unregistered and unstamped in view of the Full Bench

Judgment of the High Court of Andhra Pradesh reported in AIR 1982 A.P.Page No.

1, and therefore requested to set aside the order of the Agent to Government, Khammam,in confirming order of the lower court.

3. On examination of the records and material papers and as seen from the order of the Agent to Government Khammam, the two sada sale deeds were written on Rs.2/- stamp paper which are unregistered. They ought to have been regularized later on by registration under Section 17-B of Registration Act, but the petitioner failed to do so. The sada sale deeds are not valid Documents. Further the suit land was 38-E patta land issued under Tenancy Act. This land cannot be sold by the land holders or cannot be purchased by any body without permission by the Government within 8 years from the date of issue of patta. In this case the permission from the competent authority was not obtained. Hence this transaction is also illegal and void as per Sec.48/A of

A.P.Tenancy and Agricultural Lands Act, 1950. Moreover it is held proved that the transfer of land under the appeal is void under the provisions of A.P.S.A.L.T.R, 1959 read with Regulation 1/1970..

4. In view of the above position the Government see no reason to interfere with the order dt.3.8.2001 in CMA No.61/97 of the Agent to Government, Khammam. In the result, the order of the Agent to Government, Khammam, is upheld and the Revision Petition filed by Sri K.Narasimham is dismissed.

.. 5. The Counsel for the revision petitioner is requested to inform his client accordingly. The Collector, Khammam is requested to take necessary further action in the matter.

(By order and in the name of the Governor of Andhra Pradesh)

C.R.BISWAL,  
Secretary to Government.

To  
Sri M.Raja Malla Reddy,  
Advocate,  
Plot No.22,Pragathinagar,Ramanthapur, Hyd., 500013.RPAD.

Copy to:

The Collector, Khammam (with original record(By RPAD)  
(The Special Deputy Collector (TW), Bhadrachalam. Case file No.1703/74/SNG,  
containing pages CF 86, Total pages 86.

(Agent to Government, Khammam Case File No.CMA/61/97 containing pages  
(CFP.68 NFP 8 Total Pages 76.

Sri K.Narasimham S/o Papaiah,  
R/o Gaddepadu (v) Singareni(M) Khammam district.  
SF/SC/

::Forwarded::by order::

SECTION OFFICER