

**(1999) 03 AP CK 0003**  
**In the Andhra Pradesh High Court**  
**Case No : WA No. 29752 of 1998**

V. Sreeamulu

APPELLANT

Vs

Sub-Registrar, Tirupati and another

RESPONDENT

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**Date of Decision :** 15-03-1999

**Acts Referred:**

Registration Act, 1908 — Section 30

**Citation :** (1999) 5 ALD 174 : (1999) 3 ALT 235

**Hon'ble Judges :** S.R. Nayak, J

**Bench :** Single Bench

**Advocate :** Mr. P.S. Narayana, for the Appellant; Government Pleader for Revenue, for the Respondent

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## Judgement

1. It is the case of the petitioner that the subject land was assigned to him by issuing DKT patta by the then Tahsildar of Puttur Taluq on 23-5-1986 in his capacity as an ex-serviceman; he wanted to alienate the subject land to meet certain exigencies in the family and when he attempted to present the instrument of sale before the 1st respondent on 20-10-1998, the 1st respondent refused to receive the same without assigning any reason. So alleging, the writ petition is filed seeking intervention of this Court.

2. In response to rule nisi, the learned Government Pleader for Revenue has obtained the instructions and on the basis of the instructions would submit that according to the 1st respondent, the petitioner did not present the instrument on 20-10-1998. I do not think it necessary for the Court to go into this factual controversy of whether the petitioner attempted to submit the instrument of sale on 20-10-1998 or not. The materials placed before the Court make the following facts clear. The petitioner was granted DKT patta by the then Tahsildar of Puttur Taluq in Form-D on 23-5-1986. Under G.O. Ms. No.1117, Revenue (Assignment-I) Department, dated 11-11-1993, alienation of the assigned land in favour of the ex-servicemen is prohibited for a period of ten years from the date of issuance of DKT pattas. It is needless to state that since the petitioner was

issued with DKT patta as far back as on 23-5-1986, in the year 1996 itself the period of ten years expired and thereafterwards he is at liberty to alienate the subject land. The facts stated supra are not in controversy.

3. In that view of the matter, I dispose of the writ petition directing the 1st respondent to receive the instrument of sale to be presented by the petitioner and register it in favour of the parties as indicated by the petitioner, on the petitioner complying with the other requirements and formalities in accordance with the provisions of the Registration Act. The petitioner shall present the instrument of conveyance within a period of one month. The 1st respondent is directed to carry out the direction as indicated above within a period of one month from the date of receipt of the instrument of conveyance. No costs.