

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.2250 of 2018

ORDER:

This Writ Petition is filed questioning the notification issued by the respondents under Section 22-A of the Registration Act notifying the private patta lands belonging to the petitioners as Government lands without assigning any reasons in respect of Survey Nos.172/1, 174, 177, 178, 179 and 180 situated at Mansanpally Village of Maheswaram Mandal, Ranga Reddy District.

The petitioners contend that their grandfather was the protected tenant of the subject lands and the petitioners, being his legal representatives, were issued occupancy rights certificates as they were found to be in possession of the subject lands as on the notified date under the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950. Thereafter, their names were mutated in the revenue records and they were issued pattadar pass books and title deeds. The petitioners contend that ignoring the same, the respondents issued the proceedings mentioning the lands of the petitioners in the prohibited list under Section 22-A of the Registration Act. In spite of representations and requests made by them to delete their lands from the prohibited list, when the respondents are not correcting the revenue entries the present Writ Petition is filed.

This Court in **Vinjamuri Rajagopala Chary v. State of**

A.P¹ considered the said issue and held as follows:

“35.1 Further, as noticed earlier the State Government is empowered either suo motu or on application to consider the grievances against inclusion of any property in the prohibitory list under Section 22-A of Registration Act and is also empowered to de-notify either in full or in part the notification issued under sub-section (2). In our opinion, the redressal mechanism is available only with respect to notifications published relating to the properties falling under clause (e) of Section 22-A. Hence, any grievance of the parties with reference to the properties covered by clauses (a) to (d) will have to be questioned by the aggrieved parties only by appropriate proceedings before a competent Court and the adjudication by such Court would be final. Further, so far as notified properties falling under clause (e) are concerned, the redressal mechanism under sub-section (4) of Section 22-A would be able to effectively address the grievance provided the mechanism thereunder is effective, expeditious, fair, and judicious. Thus, in order to make an effective redressal mechanism, we deem it appropriate to direct the respective Governments of both the States to constitute a Committee or establish a Forum within time frame, may be comprising of Principal Secretary of Revenue, Director of Survey and Land Records and a retired Judicial Officer of the rank of a District Judge which shall meet periodically to consider the grievances of the persons affected by the notifications. The Committee shall be empowered to examine relevant records and then pass a reasoned order either accepting or rejecting the grievance by either confirming/deleting/modifying any such property from the notified list of properties. In our view, such orders passed by the Committee shall be binding on the State as well as on the aggrieved person and in the event of any of them being aggrieved thereby, they shall have to approach a competent Court of Law for redressal of their grievance.”

At this stage, learned Government Pleader submits that in compliance with the orders of this Court in the aforesaid decision, the Government of Telangana issued G.O.Ms.No.185, Revenue (Assn.I) Department, dated 28.07.2016, constituting the committee to consider the grievances of the persons affected by the notifications issued under Section 22-A(1)(e) of the

¹ 2016 (1) ALT 550 (FB) : 2016 (2) ALD 236 (FB)

Indian Registration Act, 1908, regarding prohibition of registration of lands.

In view of the same, the petitioners are given liberty to approach the said grievance redressal committee for appropriate relief by making proper application.

The Writ Petition is, accordingly, disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

29.01.2018
vs



(A.RAMALINGESWARA RAO, J)