

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13563 of 2018

Date : 18 .4.2018

Between:

Smt Chakravarthula Madhuri W/o Kalyan Vasanth Meduri
Venkata rep by her GPA Holder Ch Madan Mohana Chary
S/o Ch Krishnamacharulu aged 33 years
R/o H No. 1-1-126/1 Road No. 2
Srungeri colony, Kothapet, Hyderabad

Petitioner

And

The State of Telangana
Rep by its Principal Secretary
Revenue Department,
Secretariat building, Hyderabad and others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue and with their consent the writ petition is disposed of at admission stage.

2. Petitioner claims that he purchased plot No. 19 admeasuring 361 sq yards in Survey No. 127/2, Thatti Annaram village, Abdullapurmet mandal, Ranga Reddy district through registered sale deed dated 27.8.2010. Petitioner intends to dispose of the said property and when he approached the Sub Registrar/third respondent, the Sub Registrar vide his letter dated 6.4.2018 informed the petitioner that subject land is included in the list of properties prohibited under Section 22-A of the Registration Act. Petitioner submitted representation to the District Collector on 22.4.2017. In this writ petition, though petitioner submits that land is erroneously included in the prohibited list, he requests to issue No Objection Certificate. Unless the property is excluded from the list of prohibited properties, no objection certificate cannot be issued. Perusal of the representation of the petitioner would disclose that petitioner was not requesting the District Collector to delete the subject property from the list of prohibited properties.

3. As held by the Full Bench of this Court in **Vinjamuri Rajagopala Chary v. State of Andhra Pradesh**¹, an aggrieved party against inclusion of the property claimed by him as belonging to him in the list of prohibited properties, should file application before the appropriate authority, in the instant case the District Collector praying to exclude the property from the list of prohibited properties. Admittedly, so far no such request is made. Thus, the relief as sought for cannot be granted.

¹ 2016 (1) ALT 570 (F.B)

4. Thus, petitioner is granted liberty to make application to the District Collector, in addition to the application already made on 22.4.2017, if so advised, requesting to delete the subject property from the list of prohibited properties. As and when such application is made, the District Collector shall consider the request and pass appropriate orders as warranted by law within a period of 8 weeks from the date of receipt of such application.

5. Accordingly, the writ petition is disposed of. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

DATE:18-04-2018
TVK

P NAVEEN RAO,J



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