

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.45013 OF 2018

Date:13.12.2018

Between:

Smt. Kotha Yellamma, W/o. Rajaiah,
Aged about 50 years, Occ: Agriculture,
R/o.8-47, Sharajipet, Turpugudem,
Kolluru, Yadagri-Bhongiri (formerly
Nalgonda) and others

.. Petitioners

And

State of Telangana, rep., by
Principal Secretary, Revenue,
Secretariat Building, Hyderabad
and others

.. Respondents



The Court made the following:

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ORDER:

Heard learned counsel for the petitioners; learned Government Pleader for Revenue for respondents 1, 4 and 5 and Sri A. Madhava Rao, learned Standing Counsel for State Schedule Caste Finance Corporation for respondents 2 and 3.

2. Petitioners claimed that the Government allotted small extents of plots to them as mentioned in the tabulated statement in paragraph No.3 of the affidavit filed in support of the Writ Petition. They mortgaged the said plots for the loans extended to them. Subsequently, the Government has waived the loans in terms of the allotment made. However, so far, the documents of the properties allotted to the petitioners are not released even though representations are made by them. Alleging inaction, this Writ Petition is filed.

3. It is not known as to why the documents are not released to the petitioners. If what is contended by the petitioners is true and their liability was already discharged, there is no justification in retaining the documents by the respondent – Corporation. In W.P.No.24590 of 2015, dated 13.11.2015, learned single Judge of this Court, on detailed consideration of the matter, directed release of the mortgage deeds/bonds of the petitioners properties therein.

4. Having regard to the earlier view taken by this Court in W.P.No.24590 of 2015, dated 13.11.2015, and as petitioners assert

that the loans obtained by them were already discharged, the Writ Petition is disposed of directing respondents 2 and 3 to release the mortgage deeds/bonds to the petitioners on due verification of the settlement of dues and if there is no other legal impediment within four weeks from the date of receipt of a copy of the order. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:13.12.2018

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