

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.10306 of 2019

ORDER:

1 The grievance of the petitioners is with regard to inclusion of their lands in different sub-divisions of Sy.No.74 of Gopanpally Village, Serilingampally Mandal, Ranga Reddy District, in the list of prohibited properties contained in the Notification dated 26.9.2013.

2 This Court had an occasion to deal with the very same Notification dated 26.9.2013 in W.P.No.5411 of 2019 and by order dated 15.3.2019 passed therein, this Court held that Section 22-A(1)(a) of the Registration Act, 1908, does not prescribe a procedure to the effect that a prohibitory list in relation to the lands which would be covered thereby should be prepared only after calling for objections. In effect, the procedure underlying the Notification dated 26.9.2013 was found to be not sourced in any law.

3 In that view of the matter, the Writ Petition is disposed of directing the registration authorities to receive and process the documents, if any, presented by the petitioners with regard to the subject lands without reference to the Notification dated 26.09.2013 issued by the District Collector, Ranga Reddy District. In the event the said documents are found to be fit for registration, the registration authorities shall complete the due formalities in accordance with law and release the documents. However, if the registration authorities find any ground to exercise power under Section 72 of the Act of 1908 and refuse registration, they shall pass a reasoned order and communicate the same to the parties concerned. It is also made clear that mere registration of the document would not confer title upon the property covered thereby, if it is otherwise wanting, and the same would

not preclude the Government from taking appropriate steps as warranted by law, if it seeks to assert any right or title over the said lands.

4 Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date: 03.06.2019

Kvsn

