

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.12857 OF 2019

DATED :27.06.2019

Between :

Burukunta Gopal S/o.Chandraiah,
Aged about 40 yrs, Occu : Agriculture,
R/o.H.No.5-51, Narkhoda Village,
Shamshabad Mandal, R.R.District.

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Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue (Stamps and Registration) Department,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

2. Petitioner claims to have purchased Ac.2-00 guntas of land in Sy.No.19/47 Part, Ammapally Village, Narkhoda Gram Panchayat, Shamshabad Mandal, Ranga Reddy District. Petitioner claims to have developed the land, made house plots and offered to sell the same to purchasers. Some of the purchasers agreed to purchase the plots and when they presented the deeds of conveyance, the Sub-Registrar, Shamshabad-3rd respondent vide his endorsement dated 17.04.2019 refused to register the documents holding that land to an extent of Ac.15.25 guntas in Sy.No.19/47 is included in the list of prohibited properties under Section 22-A of the Registration Act, 1908. On appeal preferred before the District Registrar, Ranga Reddy District-2nd respondent, vide his order dated 12.06.2019 dismissed the appeal. These two proceedings are assailed in this writ petition.

3. Learned counsel for the petitioner sought to contend that in view of the orders of Revenue Divisional Officer dated 19.10.2016, the land was transferred in the name of the persons mentioned therein and hence the land has now become the private property. Therefore, the question of treating the subject land as prohibited property does not arise.

4. The issue in this writ petition is with reference to refusal to register the deeds of conveyance on the ground that the property is included in the prohibited list. Once a communication is given by the competent authority showing a property in prohibited list, he can refuse to register the document. If petitioner has any grievance about inclusion of property in prohibited list of properties, he has to work out his remedies as available in law before the competent authority and to request to delete the subject property from the list of prohibited properties. Unless and until the property is deleted from the list of prohibited properties, the registering authority cannot be compelled to register the document. Therefore, I do not see any illegality in the decision impugned.

5. Thus, leaving it open to the petitioner to apply to the competent authority for supply of list of properties by which the property is included in the list of prohibited properties and to work out his remedies, the Writ Petition is dismissed. However, it is needless to observe that if the property is deleted from the list of prohibited properties, it is open to the petitioner to re-present the documents for registration.

Pending miscellaneous petitions, if any, shall stand closed.

27th June, 2019
Rds

P.NAVEEN RAO,J