

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.17708 OF 2019

Date:22.08.2019

Between:

P. Vimala, W/o. Raja Reddy,
Aged about 73 years, Occ: Housewife,
R/o.H.No.3-12-13G, Ganesh Nagar,
Ramanthapur, Medchal District

.. Petitioner

And

State of Telangana, Registration and
Stamps Department, Secretariat,
Hyderabad, rep., by its Principal
Secretary and others

.. Respondents



The Court made the following:

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ORDER:

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

2. Petitioner claims that she is the owner of Ac.0.20 guntas of land in Survey Nos.196/A and Ac.1.30 guntas of land in Survey No.197 of Nagulapally Village in Toopran Mandal, Medak District, having purchased the same from her vendor in the year 1986. She was also issued pattadar passbook and title deeds. However, when the petitioner intended to sell the property and sought information from the Registration Department, she was informed that the subject property is included in the prohibited list of properties under Section 22-A of the Registration Act, 1908 (for short, 'the Act') and therefore no transaction with regard to the said survey number can be entertained. Having regard to the said information, petitioner applied to the Joint Collector orally and sought for his intervention. It appears, the Revenue Divisional Officer, Toopran, was asked to look into the matter and in terms thereof, the Inspector of Survey and Land Records, Medak District, submitted his report and thereafter no further action is taken.

3. The issue of inclusion of properties as prohibited properties, procedure for deletion of the same and registration of the documents was considered by the Full Bench of this Court in **VINJAMURI RAJAGOPALA CHARY v. STATE OF ANDHRA PRADESH**¹. In terms thereof, when a person has grievance on

¹ 2015 (3) ALT 96

inclusion of his/her property in the list of prohibited properties, he/she has to apply to the District Collector for deletion/modification of the property from the said list and then only he/she can seek for registration of deed of conveyance. Apparently, no such application is made by the petitioner in writing.

4. In view of the same, the petitioner is granted liberty to make an application to the District Collector, Medak District, along with all the relevant documents in support of her claim that the subject property is included in the list of prohibited properties. Since the learned counsel for the petitioner sought to contend that in fact competent authority has not notified the property of the petitioner as prohibited property, but only the Tahsildar has intimated to the Sub-Registrar about inclusion of the subject property in the list of prohibited list of properties, the District Collector is directed to look into this aspect and if necessary issue appropriate clarification as required. The entire exercise shall be completed and appropriate decision be communicated to the petitioner within a period of six weeks from the date of submission of application.

5. The Writ Petition is accordingly disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P.NAVEEN RAO, J

Date:22.08.2019

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