

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.16367 of 2018

ORDER:

The grievance of the petitioner is that she is being made to run from pillar to post owing to the lack of communication between the Endowments Department and the Registration Department of the State. She seeks a consequential direction to the registration authorities to delete the entry made in the list of prohibited properties prepared under Section 22-A(1)(c) of the Registration Act, 1908 (*for brevity*, 'the Act of 1908'), with regard to her agricultural land admeasuring Acs.6.00 guntas in Survey Nos.153/E and 153/EE of Edulabad Village, Ghatkesar Mandal, Medchel-Malkajgiri District.

Perusal of the material placed on record reflects that the Assistant Commissioner, Endowments Department, Government of Telangana, Ranga Reddy District at Hyderabad, addressed letter dated 16.05.2015 to the Commissioner of Endowments, Telangana State, wherein he specifically recorded that Survey Nos.153 and 180 of Edulabad Village, Ghatkesar Mandal, Ranga Reddy District, were erroneously notified under Section 22-A(1)(c) of the Act of 1908 and that these lands have nothing to do with Sri Seetharamachandra Swamy Temple, Edulabad Village, Ghatkesar Mandal, as per the records available.

More recently, the Assistant Commissioner, Endowments Department, Government of Telangana, Ranga Reddy District at Hyderabad, again addressed letter dated 18.04.2017 to the Commissioner of Endowments, Telangana State, wherein he reiterated that Survey Nos.153 and 180 of Edulabad Village were not included under Section 22-A(1)(c) or under Section 22-A(1)(e) of the Act of 1908 for prohibition of endowed lands.

It appears that the Joint Commissioner and Vigilance Officer, Office of the Commissioner of Endowments Department, State of Telangana, addressed letter dated 03.11.2017 to the petitioner and others recording the fact that the Assistant Commissioner, Endowments Department, *vide* letter dated 18.04.2017, had stated to the effect that the land admeasuring Acs.14.32 guntas in Survey No.153 of Edulabad Village, Ghatkesar Mandal, Ranga Reddy District, was neither notified under Section 22-A(1)(c) nor under Section 22-A(1)(e) of the Act of 1908 and that the petitioner and others could approach the registration authorities for redressal of their grievance.

Despite this communication, Sri D.Sudarshan Reddy, learned counsel for the petitioner, would assert that the registration authorities are refusing to accept the document presented by the petitioner in relation to her agricultural land in Survey Nos.153/E and 153/EE of Edulabad Village on the ground that the Endowments Department has a claim over the same.

Learned Assistant Government Pleader for Revenue, State of Telangana, would however inform this Court that in the light of the clear stand of the Endowments Department that it has no claim over the subject land in Survey No.153, the registration authority may be directed to receive the document presented by the petitioner and deal with it in accordance with the due procedure.

The writ petition is accordingly disposed of directing the Sub-Registrar, Ghatkesar, Medchel-Malkajgiri District, the fifth respondent, to process any application made by the petitioner for furnishing the market value of the land in Survey Nos.153/E and 153/EE and receive any document presented by her for registration in relation to the said land, duly taking into account the aforestated communications of the

Endowments Department. In the event the document(s) presented by the petitioner for registration is/are found to be in order and in compliance with the provisions of the Indian Stamp Act, 1899, the fifth respondent shall duly register the same in accordance with the due procedure. In case the fifth respondent finds any grounds to refuse registration of any such document(s), he shall pass a reasoned order of refusal under Section 76 of the Act of 1908 and communicate the same to the petitioner.

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

JUSTICE SANJAY KUMAR

Date:24.01.2019

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