

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.26588 OF 2019

Dated:02.12.2019

Between:

Ms. Devi Shailaja, W/o. Narsaiah,
Age 22 years, Occ: Homemaker,
R/o.Rajeevnagar Colony, Dasnapur,
Adilabad District

.. Petitioner

And

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

.. Respondents



This Court made the following:

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ORDER:

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

2. Petitioner alleges that she purchased land to an extent of Acs.5.15 guntas in Survey No.170/33 of Yavala Village of Adilabad Mandal and District through a registered sale deed of the year 2002. She further alleges that her name was mutated in the revenue records and was issued pattadar passbook and title deeds. The petitioner purchased the said land basing on a certificate issued by the Tahsildar on 19.09.1993, wherein it is stated that the subject land is a private land and that there is no bar for alienation of the said land. While so, with an intention to dispose of the said property, when the petitioner approached the Joint Sub Registrar, Adilabad, to furnish the market value, he refused to furnish the said information on the ground that the subject land is included in the list of prohibited properties and therefore the said land cannot be alienated.

3. Learned counsel for the petitioner relied on the decision of this Court in **R. Shivshankar Reddy and others v. State of Andhra Pradesh and others**¹, wherein it is held that once registration of a deed of conveyance is accepted, it is no more open to include the property in the list of prohibited properties and therefore the Joint Sub Registrar ought not to have rejected the request of the petitioner to furnish the market value.

¹ 2019 ALT (Rev.) 167 (TS & AP)

4. From the averments stated in the affidavit filed in support of the Writ Petition, it goes to show that the Joint Sub Registrar expressed his inability to furnish the market value of the subject land on the ground that the subject property is included in the list of prohibited properties notified under Section 22-A of the Registration Act. If such intimation is issued to the registering authority, he is restrained from entertaining such document for registration or dealing with in any manner. Petitioner may have a valid grievance against the revenue authorities for including the property in the prohibited list, more so having regard to the certificate issued on 19.09.1993 which was the basis for purchasing the property believing that the same is *bona fide* private property. The present grievance of the petitioner is not against inclusion of subject property in the list of prohibited properties, but is against the registering authority in not furnishing the market value details and not accepting her request to receive the documents. Therefore, the relief as sought for by the petitioner cannot be granted.

5. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out her remedies against alleged inclusion of subject property in the prohibited list of properties. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

Date:02.12.2019

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