

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27781 OF 2019

Date: 16.12.2019

Between:

Nallagasu Ramulu, S/o.N.Kashaiah,
Aged about 62 yrs, Occu : Agriculture,
R/o.H.No.2-18, Mustipally Village & Post,
Nampally Mandal, Nalgonda District.

.....Petitioner

And

Principal Secretary,
State of Telangana,
Revenue (Stamps & Regn.)Department,
Secretariat, Hyderabad & others.

.....Respondents



The 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 claims that he purchased land to an extent of Ac.0-04 guntas in Sy.No.48/A2, Ac.2-07 guntas in Sy.No.50/A and Ac.0-29 guntas in Sy.No.50/AA of Bandathimmapuram, Sunkishala Village, Nampally Mandal, Nalgonda District.

3. The deed of conveyance when presented by the petitioner before the Sub-Registrar-4th respondent in the year 2011, the 4th respondent vide Refusal No.7/2013 refused for registration of the document stating that the property on which registration was sought is included in the prohibited list of properties, therefore, cannot be processed for registration, in accordance with Section 22-A of the Indian Registration Act, 1908 (for short 'the Act').

4. Learned counsel for the petitioner sought to contend that the subject property is a private property and inclusion of the same in the prohibited list is erroneous. Petitioner neither challenges the said decision in the form of an appeal nor persuaded the Sub-Registrar or revenue authorities to take remedial steps. He further sought to contend that the Tahsildar has issued certificate, stating that the land is a private land and by mistake it was included in the prohibited list of properties. He also sought to contend that recently, the Sub-Registrar has entertained a document presented by the same vendor, concerning the same land and the same was also registered. The subsequent development is not the subject

matter of the writ petition. Further apparently, so far land is not deleted from the list of prohibited properties. Insofar as registering authority is concerned, he has to go by the intimation given to him about inclusion of properties in the prohibited list, under Section 22-A of the Act, and once such intimation is received by him, he is not competent to entertain the deed of conveyance and register the document. Therefore, the refusal intimation given to the petitioner cannot be faulted. If petitioner has any grievance against such wrong inclusion or subsequent action of Sub-Registrar in entertaining the document for registration, he has to work out his remedies as available in law.

5. Thus, granting liberty to the petitioner either to go before the District Collector to persuade him to pass orders for excluding the property in issue from the list of prohibited properties or inform the Sub-Registrar of the subsequent registration of document concerning the very same survey numbers, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

16th December, 2019

Note :

Issue c.c. in one week

B/o.

Rds