

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.27592 of 2020

ORDER:

This writ petition is filed challenging the action of the respondents in not de-notifying/deleting the petitioner's plot bearing No.36 of Gopanapally Village from Prohibitory List issued under Section 22-A of the Registration Act and in not entertaining registration in respect of lands admeasuring 400 Sq.Yards in Plot No.6, 300 Sq.Yards in Plot No.11, 300 Sq.Yards in Plot No.17, 300 Sq.Yards in Plot No.28, 300 Sq.Yards in PlotNo.21 and 300 Sq.Yards in Plot No.29, respectively, situated in Survey No.36 of Gopanapally Village, Serilingampally Mandal, Ranga Reddy District.

The case of the petitioners is that they are the absolute owners of the subject land having purchased through registered Sale Deeds. While so, the Government without having any right or interest had set up false claim over Survey No.36 where petitioners' plots are situated, and also kept the same under prohibitory list under Section 22-A of the Registration Act and the revenue authorities are also not mutating the names of the owners. Aggrieved by the same, the petitioners' vendor namely A.Narsimha Rao filed a suit for declaration and permanent injunction against the State vide OS.No.280/1991 and the same was decreed in favour of petitioners' vendor and as no appeal was filed against the same it has become final. Inspite of the aforesaid Court decree, when the revenue authorities failed to mutate the name of the petitioners' vendor, the petitioners' vendor again filed WP.No.2349 of 2013 before this Court and the same is allowed. While so, when the petitioners tried to alienate the subject land to third parties, they came to know that the subject property was put in prohibitory list under

Section 22-A of the Registration Act. Thereafter, the petitioners came to know from the information obtained from RTI that basing on communication of 5th respondent-Tahasildar, Serilingampally, petitioners' land was put in prohibitory list. As such, the petitioners made several representations dated 16.10.2019 and 17.10.2019 to the authorities requesting to delete/de-notify their subject plots from the prohibitory list. But, till date no action has been taken on the said representations.

Heard learned counsel for the petitioners.

Learned Assistant Government Pleader for Revenue seeks time for getting instructions.

Since the grievance of the petitioners is already pending before the 2nd respondent by way of representations dated 16.10.2019 and 17.10.2019, the 2nd respondent is directed to consider the said representations in accordance with law by taking the aforesaid facts into account, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, in this writ petition shall stand closed.

A.RAJASHEKER REDDY, J

25.02.2020
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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



WRIT PETITION No. 27592 of 2019

25.02.2020

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