

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO. 18381 OF 2021

Between:

1. Smt. Bitla Komuramma, W/o late B.Narsimha Ramulu, Age- 80 years, Occ- House wife, R/o H.No. 2-26, Sangem Mandal and Village, Warangal District
2. Smt. B.Upendramma, W/o late Sayanna, Age- 64 years, Occ- House wife, R/o Sangem Village and Mandal, Warangal District.
3. Smt. Kandula Prameela, W/o late Pichireddy, Age- 66 years, Occ- Agriculture, R/o H.No. 3-112, Muthagudem, Khammam District.

...PETITIONERS

AND

1. State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat, Hyderabad
2. The District Collector, Medchal, Malkajgiri District,
3. The Revenue Divisional Officer, Kapra Division, Malkajgiri District.
4. The Tahasildar, Kapra Mandal, Malkajgiri District.
5. The Sub-Registrar, Shamirpet, Medchal-Malkajgiri District, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents Nos. 1 to 4 in keeping the Petitioners plots bearing plot Nos. 342, 343 and 197, in Block No/Survey No. 995-1000, 1005-1008 situated at Jawaharnagar, Kapra Mandal, Medchal Malkajgiri District in prohibited properties list as illegal and arbitrary and also declare the action of Respondents Nos. 2 and 4 in not issuing the NOCs (No objection certificates) to the Petitioners to sell away their plots bearing plot Nos. 342, 343 and 197, in Block No/Survey No. 995- 1000, 1005-1008 situated at Jawaharnagar, Kapra Mandal, Medchal Malkajgiri District which were allotted to the Petitioners vide patta Nos. RDO (EAST) No. B2/2020/98, dated 15.08.1998 and 15.08.2004 as illegal, arbitrary and against to the Principles of Natural Justice and violative of Articles 14, 21 and 300A of Constitution of India and direct the Respondents to issue NOCs to the Petitioners to sell away their house sites/plots bearing plot Nos. 342, 343 and 197, in Block No/Survey No. 995 - 1000, 1005-1008 situated at Jawaharnagar, Kapra

Mandal, Medchal Malkajgiri District and also direct the Respondent No.5 to register sale deed in respect of their plots.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.2 and 4 to consider the Representations of the Petitioners dated 01.03.2021 for issuance of NOCs to sell away their house sites/plots bearing plot Nos. 342, 343 and 197, in Block No/Survey No. 995 - 1000, 1005-1008 situated at Jawaharnagar, Kapra Mandal, Medchal Malkajgiri District pending disposal of the above writ petition.

IA NO: 2 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No.5 to register the sale deeds to be presented by in respect of their house sites/plots bearing plot Nos. 342, 343 and 197, in Block No/Survey No. 995 - 1000, 1005-1008 situated at Jawaharnagar, Kapra Mandal, Medchal Malkajgiri District pending disposal of the above writ petition.

Counsel for the Petitioner: SRI P. GIRI KRISHNA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.18381 of 2021

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue for all the respondents. With their consent, the Writ Petition is disposed of at the admission stage.

Aggrieved by the action of respondents in keeping the subject plots of the petitioners situated at Jawaharnagar, Kapra Mandal, Medchal Malkajgiri District, in the list of prohibited properties, the present writ petition is filed.

Learned Government Pleader for Revenue states that if the petitioners make fresh representation/s, the same will be considered and necessary orders will be passed by the authorities concerned, in accordance with law.

Having regard to the above made submission, without going into the merits or demerits of the case, the Writ Petition is disposed of directing the petitioners to make fresh representation/s before respondent No.2 seeking to delete the subject plots from the list of prohibited properties, within a period of two weeks from the date of receipt of a copy of this order. On such representation/s being filed, respondent No.2 shall pass necessary orders thereon, strictly in accordance with law, as expeditiously as possible, preferably, within a period of eight weeks thereof, duly putting all the interested parties on notice and considering the objections, if any. A copy of the order likely to be passed by respondent No.2 shall be communicated to the petitioners.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad
 2. The District Collector, Medchal, Malkajgiri District.
 3. The Revenue Divisional Officer, Kapra Division, Malkajgiri District.
 4. The Tahasildar, Kapra Mandal, Malkajgiri District.
 5. The Sub-Registrar, Shamirpet, Medchal-Malkajgiri District, Hyderabad.
 6. One CC to Sri P. Giri Krishna, Advocate [OPUC]
 7. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
 8. Two CD Copies.
 9. One Spare Copy.

MP

anv

HIGH COURT

DATED:17/11/2021

ORDER

WP.No.18381 of 2021



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

⑪ VLV
29/11/21