

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.32712 of 2022

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the respondents in not considering the representation submitted through Dharni portal LM2100072244, dated 13.09.2021, for deleting the petitioners property admeasuring Ac.1-11 guntas in Survey No.531/1 and Ac.1-11 guntas in Survey No.531/2, situated at Nuthankal Village, Medchal-Malkajgiri District, from prohibited property list under Dhararni portal, as arbitrary, illegal and consequently direct the respondents to mutate the names of the petitioners in the revenue records by issuing pattadar passbook-title deed in respect of the subject property.

2. Heard learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue appearing for the respondents.

3. It is contended by learned counsel for the petitioners that the petitioners are the absolute owners and possessors of aforesaid property having purchased the same from the registered owner under registered document bearing No.6344 of 2013, dated 13.11.2013, and in turn the vendor of

the petitioners purchased the same in the year 2006 under a registered sale deed. It is further submitted that when the subject property was included in the prohibited property list under Section 22 –A of the Registration Act, 1908 (for short, ‘the Act’), the petitioners made a request for deleting the same. Basing upon the same, respondent No.4 herein submitted a report *vide* letter, dated B/699/2017, dated 17.08.1999 recommending for issuance of NOC for registration of the subject property. Thereafter, respondent No.3 herein also recommended for issuance of NOC in respect of the subject land and deleting the same from prohibited property list under Section 22-A of the Act through letter No.B/1731/2019, dated 23.08.2019.

4. According to learned counsel for the petitioners, thereafter on submission of the said report of respondent No.3, the subject property was deleted from the prohibited property list under Section 22-A of the Act. However, after introduction of the Dharani portal once again the subject land is now being shown as assigned land and included in the prohibited list on Dharani portal and thereby the petitioners are prevented from doing any transaction over the subject land. Under those circumstances, the petitioners claim to have submitted an

online application bearing No.LM2100072244 requesting for deleting the subject property from the list of prohibited property. However, the said online application is still pending consideration before the respondents and no action has been initiated by the respondents. Hence, learned counsel for the petitioners prays for passing appropriate orders directing for deletion of the subject property from the list of prohibited property.

5. On the other hand, learned Assistant Government Pleader for Revenue submitted that in case if the online application submitted by the petitioners is in order, the same would be considered by the respondents, in accordance with law.

6. Taking into consideration the submissions made on either side, the Writ Petition is disposed of directing respondent No.2 to consider the online application bearing No. LM2100072244, dated 13.09.2021, submitted by the petitioners for deleting the subject land to an extent of Ac.1-11 guntas in Survey No.531/1 and Ac.1-11 guntas in Survey No.531/2, situated at Nuthankal Village, Medchal-Malkajgiri District, from prohibited property list and pass appropriate orders in accordance with law, duly taking into consideration

the reports submitted by the respondent Nos.3 and 4 referred to above and pass appropriate orders, within a period of eight (8) weeks from the date of receipt of a copy of this order.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

MUMMINENI SUDHEER KUMAR, J

Date:18.08.2022

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