

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.36818 of 2022

ORDER:

Heard Sri P. Venugopal, learned senior counsel appearing for the petitioner, and learned Assistant Government Pleader for Revenue for the respondents.

2. This writ petition is filed seeking a writ of mandamus to declare the action of the respondents in rejecting the online application bearing No.2200028226 submitted by the petitioner for deleting the subject property from the prohibited properties list by communicating the same through SMS without assigning any reasons, as illegal and arbitrary.

3. Sri P. Venugopal, learned senior counsel appearing for the petitioner, contended that the petitioner and his brothers jointly purchased the agricultural lands in Survey Nos.786 and 785 admeasuring Acs.6.14 guntas and Ac.0.35 gutnas of Medchal Village and Mandal, Ranga Reddy District, under a registered sale deed dated 22.11.2010 vide document No.3799 of 2010 from its original owner. It is the specific contention of learned senior counsel that the subject lands are the subject matter of the declarations filed under the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 and the same is

treated as a patta land and there is no dispute about the same. However, the subject lands are erroneously included in the prohibited properties list. Therefore, the petitioner submitted an online application bearing No.2200028226 requesting to delete the subject lands from the list of prohibited properties. But, the said online application is rejected by the respondents without assigning any reasons and without affording any opportunity to the petitioner. The impugned rejection is stated to have been communicated through SMS which is cryptic in nature and no reasons were assigned.

4. On the other hand, learned Assistant Government Pleader for Revenue fairly submitted that the impugned rejection of the online application submitted by the petitioner being an unreasoned order, the same is unsustainable and the matter may be remitted back to respondent No.2 for consideration of the online application submitted by the petitioner afresh in accordance with law.

5. Taking into consideration the fact that the rejection of the online application submitted by the petitioner is without assigning any reasons and the same is cryptic in nature, which is non-est in the eye of law, the writ petition is allowed duly setting aside the impugned rejection order rejecting the online application bearing

No.2200028226 submitted by the petitioner and the matter is remanded back to respondent No.2 for considering the same afresh for deleting the lands in Survey Nos.786 and 785 admeasuring Acs.6.14 guntas and Ac.0.35 guntas of Medchal Village and Mandal, Ranga Reddy District, from the list of prohibited properties and for passing appropriate orders afresh in accordance with law within a period of eight weeks from the date of receipt of a copy of this order by duly affording an opportunity of personal hearing to the petitioner or his authorised representative. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

MUMMINENI SUDHEER KUMAR, J

Date:26.09.2022

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