

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

**THURSDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION NO: 10133 OF 2023

Between:

Umaleti Prasad, S/o Shastri, Aged about 52 yrs, Occ. Farmer, R/o. Tirthala,
Khammam Rural, Khammam.

...PETITIONER

AND

1. The State of Telangana, Rep.by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Khammam District.
3. The Tahsildhar, Khammam Rural and District.

...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 any writ order/s or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.2 in blocking the land of the petitioner admeasuring Ac 9.39 Gts in 620/A/K/3/1/1, Thirthala Village, Khammam Rural Mandal, Khammam District as being illegal, arbitrary and unconstitutional and consequently directing the respondent No. 2 to unblock the land of the petitioner admeasuring Ac 9.39 Gts in 620/A/K/3/1/1, Thirthala Village, Khammam Rural Mandal, Khammam District.

IA NO: 1 OF 2023

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 to unblock the land of the petitioner admeasuring Ac 9.39 Gts in 620/A/K13/1/1, Thirthala Village, Khammam Rural Mandal, Khammam District, pending disposal of the writ petition.

IA NO: 2 OF 2023

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 respondents not to interfere with the agricultural activities like cleaning of bushes, digging of pits for plantation and levelling the land in respect of the land of the petitioner admeasuring Ac 12.39 Gts in Sy. Nos. 609/A1/1/1 and in 620/A/K/3/1/1, Thirthala Village, Khammam Rural Mandal, Khammam District, pending disposal of the writ petition.

Counsel for the Petitioner: SRI V. VENKATA MAYUR

Counsel for the Respondents: SRI J. AMRUTH RAO, ASST. GP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.10133 of 2023

ORDER:

Heard Sri V. Venkata Mayur, learned counsel for the petitioner and Sri J.Amruth Rao, learned Assistant Government Pleader for Revenue appearing for the respondents.

2. The petitioner herein is claiming that he is the absolute owner and possessor of land admeasuring Ac.12.39 Guntas in Sy.Nos.609/A1/1/1 and in 620/A/K/3/1/1 situated at Theerthala Village, Khammam Rural Mandal, Khammam District. In proof of the same, he has filed copies of latest Pattadar Passbook and also Dharani status. The subject property is mentioned in prohibitory list. Therefore, he has submitted written representation with respondent No.2 with a request to delete the subject land from the prohibitory list. However, Sri V. Venkata Mayur, learned counsel for the petitioner would submit that when petitioner tried to submit an online application, it was not accepted on the ground that there was no option in the Dharani Portal. Therefore, petitioner had submitted written representation. Despite receiving and acknowledging the same, he did not act upon the same. Therefore, the present writ petition.

3. Learned Assistant Government Pleader for Revenue would submit that the petitioner has to submit online application with respondent No.2

as per CCLA's Circular No.1/2021, dated 15-01-2021 and respondent No.2 will consider the same and pass appropriate orders in accordance with law.

4. In view of the above submission, this writ petition is disposed of granting liberty to the petitioner to submit online application in terms of CCLA's Circular No.1/2021, dated 15-01-2021 with respondent No.2 with a specific request to delete the subject land from prohibitory list. On submission of such online application, respondent No.2 shall consider the same in accordance with law also the instructions issued by Chief Secretary and CCLA's Ref.No.CMRO/3691/2022 dated 03.11.2022, and pass appropriate order by putting the petitioner and affected parties on notice and affording them an opportunity. If, the 2nd respondent is not inclined to accept the request made by the petitioner, he shall assign specific reasons and pass a reasoned order and communicate copy of the said order to the petitioner. He shall complete the entire exercise within eight (08) weeks from the date of making of the said online application. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed. No costs.

//TRUE COPY//

SDI-A.V.S. PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

- To,
1. The Principal Secretary, Revenue Department, The State of Telangana, Secretariat, Hyderabad.
 2. The District Collector, Khammam District.
 3. The Tahsildhar, Khammam Rural and District.
 4. One CC to SRI V. VENKATA MAYUR, Advocate [OPUC]
 5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
 6. Two CD Copies

BN
BS

HIGH COURT

DATED:13/04/2023

ORDER

WP.No.10133 of 2023



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑨ VLV
27/4/23