
(2021) 08 TEL CK 0049
In the Telangana High Court
Case No : Writ Petition No. 18629 Of 2021

Joshi Maheshwar Rao

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 18-08-2021

Acts Referred:

Constitution Of India, 1950 — Article 14, 300A

Citation : (2021) 08 TEL CK 0049

Hon'ble Judges : P.Naveen Rao, J

Bench : Single Bench

Advocate : Koppula Gopal

Judgement

1. The prayer sought in the writ petition reads as under:

â??â?| to issue an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the

respondents Nos.2 to 5 herein in inclusion of the lands in Sy.Nos.88, 89, 189, 190 and 158 admeasuring Acs.19.35 guntas situated at Nandikandi

Village, Sadashivpet Mandal, Sanga Reddy District, in the prohibitory list is being illegal, arbitrary, unreasonable and violative of principles of natural

justice and violation of Articles 14, 300-A of the Constitution of India and contrary to the provisions contemplated under the Telangana Rights in Land

and Pattadar Passbooks Act and the Rules made thereunder and consequently direct the respondents herein to delete the above lands from the

prohibitory list and pass such other order or orders as this Honâ??ble Court may deem fit and proper in the circumstances of the case.â??

2. Heard Koppula Gopal, learned counsel for the petitioners, and learned Assistant Government Pleader for Revenue.

3. Shorn of details, the grievance of the petitioners is against inclusion of land to an extent of Acs.19.35 guntas in Survey Nos.88, 89, 189, 190 and 158

of Nandikandi Village, Sadashivpet Mandal, Sanga Reddy District, in the list of prohibited properties depriving the petitioners from enjoying the fruits

of the said land even though it is purely a private patta land.

4. If what is asserted by the petitioners is true and according to petitioners, their land is erroneously described as a prohibited land, denying

transactions on the said land, as held by the Full Bench of this Court in Vinjamuri Rajagopala Chary v. State of Andhra Pradesh 2016 (1) ALT 550

FB, petitioners have to make application to the District Collector concerned with supporting documents requesting him to take steps to delete the land

from the list of prohibited properties under Section 22(1)(A) of the Indian Registration Act, 1908. Apparently, so far no such application is made by the

petitioners, but straight away instituted this writ petition.

5. After promulgation of the Telangana Rights in Land and Pattadar Passbooks Act, 2020 (the Act 9 of 2020), the Chief Commissioner of Land

Administration issued Circular No.1 of 2021 dated 15.01.2021, whereunder he has authorised the District Collectors concerned to look into the

grievance against inclusion/exclusion of properties from the list of prohibited properties. The online web portal DHARANI also envisages

platform for ventilating the grievances and the District Collectors concerned are entrusted with the responsibility of attending to the said grievances.

6. The writ petition is accordingly disposed of granting liberty to the petitioners to avail the remedy provided by Circular No.1 of 2021 dated

15.01.2021 issued by the Chief Commissioner of Land Administration and the DHARANI web portal. Pending miscellaneous petitions, if any,

shall stand closed.