

(2021) 08 TEL CK 0074
In the Telangana High Court
Case No : Writ Petition No. 19189 Of 2021

M. Krishna Reddy

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 27-08-2021

Acts Referred:

Constitution Of India, 1950 — Article 14, 21, 300A
Telangana Rights in Lands and Pattadar Pass Books Act, 2020 — Section 51

Citation : (2021) 08 TEL CK 0074

Hon'ble Judges : P.Naveen Rao, J

Bench : Single Bench

Advocate : Naraparaju Avaneesh

Final Decision : Disposed Of

Judgement

1. Heard Sri Avaneesh Naraparaju, learned counsel for petitioner and learned Assistant Government Pleader for Revenue (Stamps and Registration) appearing for respondents.

2. This Writ Petition is filed for the following relief:

"...to issue a order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents 1 to 3 in not updating the status of the agricultural land belonging to the Petitioner admeasuring Ac 4 03 gts in Sy No 38/A Turkapally Village Shamirpet Mandal MedchalMalkajgiri Dist as Patta land by removing it from Prohibited property in the DHARANI portal as being illegal arbitrary and violation of article 14, 21 and 300A of the Constitution of India and also in gross violation of provisions of Telangana Rights in Lands and Pattadar Pass Books Act 2020 and consequently seeking to direct the Respondents forthwith to enable the Petitioner to apply for registration to execute sale deed through DHARANI portal with respect to portion of his land i e an extent of Ac 120 Gts in Sy No 38/A Turkapally Village Shamirpet Mandal MedchalMalkajgiri Dist in compliance with section 51 of the Telangana Rights in

Lands and Pattadar Pass Books Act 2020."

3. Petitioner claims to be the owner and in possession of Acs.4.03 guntas of agricultural land in Survey Nos.38/A/2 and 38/A/3 of Turkapalli Village, Shamirpet Mandal, Malkajgiri District, having purchased the same by document No.2534/12 registered in the Office of the Sub-Registrar of Shamirpet Mandal and registered release deed document No.830 of 2014 of the Joint Sub-Registrar, Shamirpet Mandal. His name was mutated and pattadar passbook and title deed were also issued to him. Due to some financial needs, he intends to dispose of the property. In the process, when he verified from the Dharani Web Portal records, he was informed that there is some dispute regarding payment of stamp duty and therefore, it is included in the prohibited list. Aggrieved by the same, he raised grievance before the District Collector, Medchal-Malkajgiri. Though grievance was received and acknowledged, so far, no decision is made. Hence, this Writ Petition.

4. According to learned counsel for the petitioner, though there was some problem with reference to 156 sq.yards of land in the sub-division 'A' of Survey No.38, it does not concern to the petitioner. Even to that extent, the issue is resolved, as is evident from the report submitted by the Sub-Registrar, Shamirpet, to the District Registrar, Medchal-Malkajgiri, on 08.04.2021. As can be seen from the online record of the Registration and Stamps Department, earlier prohibition on Survey No.38/A is now deleted in the records of the Registration and Stamps Department, but, the same is not reflected in Dharani Web Portal on Agricultural lands causing hardship and suffering to the petitioner.

5. The endorsement acknowledging grievance raised by the petitioner is filed at page No.20 of the writ petition paper book and it shows that his grievance is pending consideration before the District Collector.

6. In view of the above, the Writ Petition is disposed of directing the third respondent - District Collector, Medchal-Malkajgiri, to attend to the grievance of the petitioner by duly taking note of the correspondence of the Registration and Stamps Department, particularly, letter bearing No.133/2021 dated 08.04.2021 addressed by the Sub-Registrar, Shamirpet, to the District Registrar, Medchal-Malkajgiri, and the latest updation of online record by the Registration and Stamps Department and if it was found that erroneously, the property of the petitioner continued to be shown in the prohibited list of Dharani Web Portal on agricultural lands, he shall take corrective steps and appropriate decision as warranted by law be taken within a period of four (4) weeks from the date of receipt of a copy of this order. If for any reason, he is not agreeing to the request of the petitioner, he shall pass orders by duly assigning reasons in support of the decision and communicate the same to the petitioner within the time stipulated above. Pending miscellaneous petitions, if any, shall stand closed.