

(2021) 07 TEL CK 0034
In the Telangana High Court
Case No : Writ Petition No. 16274 Of 2021

Mopur Rajeswari

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 19-07-2021

Acts Referred:

Citation : (2021) 07 TEL CK 0034

Hon'ble Judges : P.Naveen Rao, J

Bench : Single Bench

Advocate : Mohammed Abdul Rasheed

Final Decision : Disposed Of

Judgement

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

â??â?| to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not

considering the representation of the petitioner dated 08.06.2021 for issuing instructions to the 3rd respondent as to issue necessary instructions to the

5th respondent not to agitate in registering the land bearing Survey No.176 for an extent of Acs.12-00 guntas situated at Siddulur (Paigah) Village,

Vikarabad Mandal, Vikarabad District, it illegal, arbitrary, unjust, unconstitutional and violative of principles of natural justice and consequently direct

the respondents to consider the representation of the petitioner dated 08.06.2021 and may 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 Sri Mohammed Abdul Rasheed, learned counsel for the petitioner, and learned Assistant Government Pleader for Revenue.

3. Petitioner claims to have purchased Acs.12.00 of land in Survey No.176 of

Siddulur Paigah Village, Kotalaguda Grampanchayat, Vikarabad

Mandal, Ranga Reddy District, by way of registered sale deeds of the year 2006. Petitioner's name is mutated in revenue records in accordance

with the purchase made by her. Petitioner now intends to alienate the said extent of land and when she went before the registering authority, she

came to know that the subject land is included in the list of prohibited properties and thereby prohibited her from alienating the said land. Aggrieved by

the same, she submitted representation to the District Collector, Vikarabad District, the 2nd respondent, on 08.06.2021. Alleging inaction, this writ

petition is instituted.

4. The grievance of the petitioner is against inclusion of property in the list of prohibited properties. Learned counsel for the petitioner does not dispute

the fact that it was an assigned land, but according to him, it was assigned to an ex-serviceman and after ten years from the date of assignment, the

ex-serviceman is entitled to alienate the land and on due verification of the status of the vendor, petitioner purchased the land and therefore the subject

property could not have been included in the list of prohibited properties.

5. Admittedly, the subject property is included in the list of prohibited properties. Circular No.1 of 2021, dated 15.01.2021, issued by the Chief

Commissioner of Land Administration vested power in the District Collector concerned to deal with grievances of inclusion/exclusion of agricultural

land in the prohibited list of properties. Therefore, if petitioner has grievance against inclusion of her property in the list of prohibited properties, she

must file an application through online web portal.

6. Admittedly, petitioner has not filed any such application through online web portal, but submitted an application in physical form. Since, the remedy

availed by the petitioner is not in prescribed procedure, it cannot be said that the District Collector erred in not accepting the said grievance.

Therefore, the relief prayed by the petitioner cannot be granted. However, petitioner is granted liberty to file an application through online web portal

by uploading all the documents in support of her claim to delete the property in issue from the list of prohibited properties. If such

application is made, the District Collector, Vikarabad District, the 2nd respondent, shall consider the request of the petitioner, take appropriate decision

as warranted by law, communicate the said decision to the petitioner within a

period of ten weeks from the date of receipt of such application.

7. The writ petition is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed.