

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

* * * *

WRIT PETITION No.25455 OF 2015

—

—

Between:

Cherukupelly Srinivasa Charyulu and others.

.. Petitioners

And

The State of Telangana and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 13-08-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

- | | |
|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.25455 of 2015

ORDER:

Heard.

The petitioners are stated to have made an application under Form 6-A before the 3rd respondent for grant of pattadar pass books and similarly, the 4th respondent is also stated to have made similar application relating to the very same land admeasuring Ac.1-38 gts., in Sy.No.809 situated at Hanamkonda Village and Mandal, Warangal District. While the said applications are pending with the 3rd respondent, the 4th respondent is stated to have made an application before the 2nd respondent on 08-06-2014 for grant of Occupancy Rights Certificate (for short 'ORC'). The present writ petition is, therefore, filed by the petitioners aggrieved by the action of the 2nd respondent in trying to issue ORC to the 4th respondent during pendency of 6-A applications filed by both the parties before the 3rd respondent.

I am unable to see any legal basis in the petitioners' request. Inasmuch as, the Occupancy Right Certificate is governed by the provisions of the A.P. (Telangana Area) Abolition of Inams Act, 1955, whereas grant of pattadar pass books is governed by the provisions of the A.P.Rights in Land and Pattadar Pass Books Act, 1971. Under the former Act, the Revenue Divisional Officer is the competent authority whereas in the latter Act, it is the Tahsildar, who grants pattadar pass books. Since the grant of ORC is a substantial right, the 3rd respondent has rightly did not pass any orders in the 6-A applications of both the parties. If the petitioners have any grievance with regard to ORC sought for by the 4th respondent, it is open to the petitioners to

approach the 2nd respondent and oppose the said application of the 4th respondent. The petitioners, if advised, are also at liberty to make appropriate application for ORC, if they are eligible. However, the relief as sought for in the present writ petition cannot be granted.

Accordingly, the writ petition is disposed of. No costs.

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

VILAS V.AFZULPURKAR, J

Date: 13-08-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.24806 of 2015

-
13-08-2015

Prv

The Writ Petition is therefore disposed of
Miscellaneous Petitions, if any pending in this Writ Petition shall
stand closed. No order as to costs.