

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10821 OF 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“declaring the action of the respondents in not mutating the names of the petitioner in revenue records pursuant to the application made by them and issue Pattadar Books in respect of land in land in Sy.No. 168 to an extent of Ac.9.06 Guntas, in Sy.No.167, to an extent of Ac. 2.00 cents and to an extent of Ac.2.00 cents in Sy.No.166 and to an extent of Ac.1.36 cents in Sy No.165 (Total Admeasuring Ac.15.02 gts) of Somaram Village, Medchal Mandal, Ranga Reddy (Keesara-Medchal) District as per the letter addressed by the 2nd respondent vide L.R.No.D5/3548/2015, dated 27-5-2015 as per the provisions of A.P. rights in land and Pattadar Pass Books Act and rules made there under as illegal and consequently direct the respondents to mutate the names of the petitioner in respect of the lands to an extent of Ac. 15.02 guntas in land in Sy.No. 168 to an extent of Ac.9.06 Guntas, in Sy.No.167, to an extent of Ac. 2.00 cents and to an extent of Ac.2.00 cents in Sy.No.166 and to an extent of Ac.1.36 cents in Sy No.165 (Total Admeasuring Ac.15,02 gts of Somaram Village of Medhcal Mandal of Keesara-Medchal District.”

2. The case of the petitioner is that he purchased the aforesaid property by way of registered sale deed on 20.11.2003 and since then he is in continuous possession and enjoyment of the same. He also made an application before the Special Grade Deputy Collector and the Revenue Divisional Officer, Ranga Reddy East Division, for grant of ORC under Telangana Area Inam Abolition Act. After due enquiry, the Tahsildar, Medchal submitted a report. After due notice as required under Rule 6 (1) of the Inam Abolition Rules, 1975, ORC was granted in favour of the petitioner on 18.02.2012. Aggrieved by the said order, the

3rd parties preferred an appeal before the Joint Collector, Ranga Reddy District. The 2nd respondent also sent a communication to the Tahsildar on 27.05.2015 to take necessary steps in the matter and submit a report. Though the said proceedings were received by the respondents, so far the respondents did not choose to implement the same. Aggrieved by the action of the respondents in not taking any steps, the petitioner filed W.P.No.31283 of 2012 before this Court and this Court disposed of the said Writ Petition on 08.10.2012 directing the Tahsildar to process the application submitted by the petitioner in Form 6-A of the A.P.Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act') and take steps within a period of four weeks. Pursuant to the order of this Court, the petitioner made an application, but the same was kept pending on the ground that the appeal filed by the third parties is pending. Thereafter, though the said appeal is concluded in favour of the petitioner, the respondents are not taking any steps to mutate the name of the petitioner in revenue records. Hence, the Writ Petition.

3. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

4. Learned counsel for the petitioner would submit that aggrieved by order of granting ORC in favour of the petitioner, some 3rd parties filed an appeal and the same was dismissed confirming the order of the 3rd respondent and it has become final; that in spite of the same, the 4th respondent is not taking any action to issue pattadar pass books and title deeds in favour of the petitioner by mutating his name in the revenue records.

5. In view of the facts and circumstances of the case, the petitioner is directed to submit one more application in Form 6-A of the Act along with necessary documents cited supra to the 4th respondent, who in turn is directed to consider the same and pass appropriate orders in accordance with law, after issuing notice to all affected parties.

6. With the above direction, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

MARCH 27, 2017
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A.RAJASHEKER REDDY, J



HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



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Date: 27.03.2017

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