

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.35638 OF 2017

DATED : 26.10.2017

Between :

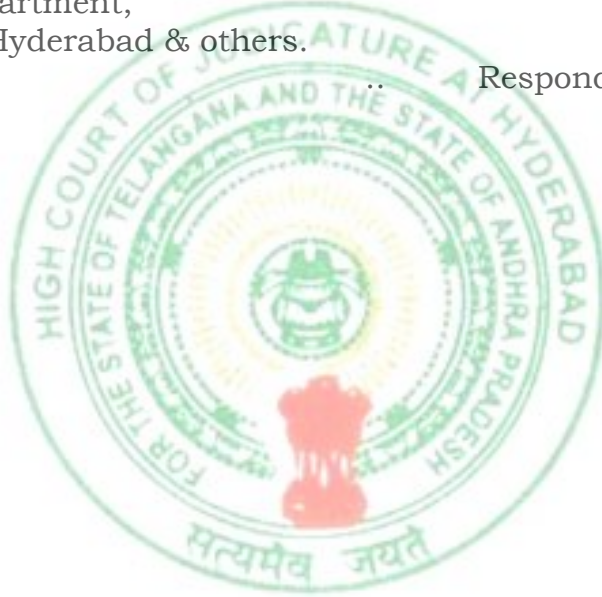
Mohd. Arifuddin S/o.Late Mohd.Azeezuddin,
Aged about 73 yrs, Occu : Retd. Public Servant
R/o.H.No.9-4-86/1/A/1, Salar Jung Colony,
Toli Chowki, Hyderabad-TS

.. Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad & others.

.. Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner claims that land to an extent of Ac.5-37 guntas in Sy.No.440/1 of Utnoor Village & Mandal, Adilabad District belongs to his father-in-law by name Ahmed Mohiuddin and revenue records reflect his name. After the demise of his father-in-law and mother-in-law, petitioner's wife succeeded to the said property and she made an application on 26.12.2015 to mutate her name in the revenue records and pending consideration of the application, petitioner's wife died on 24.03.2016. After the death of his wife, petitioner made an application on 15.09.2017 to carry out corrections in the revenue records. Alleging inaction on the said application, this writ petition is filed.

3. A perusal of material on record and the averments made in the affidavit filed in support of the writ petition, it is clear that petitioner has not submitted application in Form-VI A as required by the A.P. Rights in Land and Pattedar Pass Books Act 1971 (for short 'the Act, 1971') and the Rules made thereunder. Therefore, it cannot be said that the Tahsildar acted illegally in not considering the representation of the petitioner.

4. The Government is processing the claims under the Act, 1971, when applications are made in prescribed form through online web portal of the State. It is not denied by the learned counsel for the petitioner that such application is not made so far. Unless such application is made the claim will not be processed,

and it cannot be said that the action of the authorities in not acting upon the request made by the petitioner as amounting to arbitrary exercise of power or inaction and is illegal. Therefore, the relief sought for by the petitioner cannot be granted.

5. Thus, leaving it open to the petitioner to apply for grant of pattedar pass book and title deeds in accordance with the procedure prescribed, the Writ Petition is disposed of. It is needless to observe that as and when such application is made, the same shall be considered as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of such application. There shall be no order as to costs.

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

26th October 2017
Rds

P.NAVEEN RAO,J

