

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.9074 OF 2018

DATED :20.03.2018

Between :

Mohd. Shabuddin S/o.late Mohd. Shareefuddin,
Aged about 36 yrs, Occu : Agriculture,
R/o.Porandla Village, Maheshwaram Mandal,
Ranga Reddy District & another.

.. Petitioners

And

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

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners and learned Government pleader for Revenue.

2. This writ petition is filed contending that petitioners filed objections on 18.09.2017 on the request of the 5th respondent-unofficial respondent to issue pattadar pass book and title deed and to conduct survey of the land in Sy.Nos.21 and 22 to an extent of Ac.42-28 guntas, Porandla Village, Maheshwaram mandal, Ranga Reddy District. Petitioner contends that though detailed objections are filed, the Tahsildar is taking steps to issue pattadar pass book and title deed in that extent of land and such action is not valid in law.

3. Admittedly, so far no decision is made by the Tahsildar. Petitioners do not dispute the competence of Tahsildar and that is not the issue raised herein.

4. That being so, even before a decision is made by the Tahsildar, it cannot be assumed that Tahsildar would not take into consideration the objections filed by petitioners, if the same are already received by him and Court cannot mandate Tahsildar, to take a decision in a particular manner. Within the parameters of Judicial review under Article 226 of the Constitution of India, the writ Court tests the validity of a decision made by the competent authority. Thus, such examination can be undertaken only after a decision is made. Thus, this Court is not inclined to entertain the writ petition at this stage.

5. Accordingly, the Writ Petition is dismissed as premature. However, it is always open to the petitioners to avail appropriate remedy available in law, if a decision affecting their right is made. There shall be no order as to costs.

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

20th March, 2018
Rds

P.NAVEEN RAO,J

