

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.12100 OF 2018

Dated:11.04.2018

Between:

Chittireddy Raja Reddy,S/o. Late Chittireddy
Lingam, aged 60 years, Occ: Agriculture,
R/o.H.No.7-40, Mannegudem Village,
Medipally Mandal, Jagtial District and another .. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others .. Respondents



The Court made the following:

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ORDER:

Heard learned senior counsel for the petitioners and learned Government Pleader for Revenue appearing for the respondents.

2. Petitioners allege that their father was owner of land to an extent of Acs.2.11 guntas in Survey No.350/E and Acs.2.10 guntas in Survey No.351/E of Mannegudem Village, Medipally Mandal, Jagtial District. They allege that their father was issued pattadar passbook and title deeds. They further allege that on 08.11.2017 a request was made to mutate their names in the revenue records. Petitioners now apprehend that there is an attempt being made to change the entries in the revenue records. Aggrieved by the same, petitioners submitted representation dated 26.02.2018 to the District Collector, Jagtial District. Alleging that the said representation is not considered by the respondent authorities, this Writ petition is filed.

3. A reading of the representation dated 26.02.2018 itself would show that no steps are taken for mutating the names of third parties, as sought to be alleged. The Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act') envisages detailed procedure for processing the request to change the entries in the revenue records and mutation of names of applicants. A person, who is aggrieved by any decision made, has effective remedy in the form of appeal and revision. Therefore, even before an application is made, the Court cannot restrain the Tahsildar from undertaking mutation exercise. Further, the provisions of the Act vest right in any person seeking mutation of

his name/correction of revenue records etc. The Court cannot restrain the statutory authority in entertaining such application. Further grievance of the petitioners is that even though representation was made to mutate their names in the revenue records, so far their names are not mutated. However, as seen from the record, simple representation was made, whereas procedure requires submission of application in Form VI-A and such application should be submitted through online web portal of the State Government and only applications made in the said manner are processed. Apparently, petitioners have not filed any such application.

4. The Writ Petition is accordingly disposed of granting liberty to the petitioners to make application for mutation of their names in the revenue records, if they are entitled, in accordance with the procedure envisaged. If such application is filed by the petitioners, the Tahsildar shall process the same in accordance with law and provisions of the Act; take an appropriate decision and communicate the same to the petitioners within a period of three months from the date of receipt of copy of the application. There shall be no order as to costs.

Miscellaneous Petitions, if any, filed in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:11.04.2018

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