

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.294 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:-

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not considering the application dated 20.12.2017 sought for mutation of revenue records in Form IB and to issue title deeds and Pass books in the name of petitioner for the property in Sy.No.139 to an extent of Acs.20.00 situated at Thimmapur Shivar of Mandamarri Mandal, Adilabad District as unconstitutional, arbitrary, unjust, illegal, contrary to the provisions of A P/TS Record of Rights in Land and Pattadar Pass Books Act 1971 and violative of Articles 14, 21 and 300A of the Constitution of India and consequently direct the 3rd respondent to consider and dispose of the said application and to pass appropriate orders forth and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case.”

Sri Srinivasa Rao Putluri, learned counsel for the petitioner, would place reliance upon the proceedings dated 28.11.2016 of the Tahsildar, Mandamarri Mandal, whereby he ordered incorporation of the classification of the land as 'patta' against Survey Nos.139, 325 and 438 of Thimmapur Village.

On the strength thereof, the petitioner now seeks mutation in relation to an extent of land falling in Survey No.139 of Thimmapur Shivar, Mandamarri Mandal in the present Mancherla District.

However, perusal of the record reflects that the petitioner did not make an application in the prescribed format while seeking such mutation. An application in this regard has to be made in Form

VIA under the Telangana Rights in Land and Pattadar Pass Books Act, 1971.

Without making an application in the prescribed format, it is not open to the petitioner to complain of inaction on the part of the revenue authorities.

The Writ Petition is accordingly disposed of permitting the petitioner to make an application in the prescribed format to the Tahsildar, Mandamarri Mandal, Mancherial District, seeking mutation in his favour in relation to the subject land. In the event such an application is made, the Tahsildar, Mandamarri Mandal, Mancherial District, shall consider the same keeping in mind the proceedings dated 28.11.2016 of his predecessor-in-office and take appropriate action upon the petitioner's application expeditiously and in any event, not later than four weeks from the date of receipt of such application.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

25th February, 2019
dr