

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3821 OF 2019

O R D E R:

1 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 writ or direction more particularly one in the nature of writ of mandamus declaring the action of the Respondents in not issuing pattadar pass books and title deeds in respect of the property purchased by me of an extent of Ac 1 03 gts in Sy No 294 and 295 part situated at Patha Kothagudem Village Kothagudem Taluq Khammam District is illegal arbitrary and also violative of Article 300A of Constitution of India and to pass such other order or orders as this Hon’ble Court may deem fit just and proper in the circumstances of the case.”

2 In the light of the order proposed to be passed by this Court without going into merits of the matter, it would not be necessary to put the 5th respondent on notice or afford him an opportunity of hearing.

3 The grievance of the petitioner is that he purchased the subject land in a sale held under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, and applied to the revenue authorities for mutation in his favour but the revenue authorities are not taking necessary steps thereon.

4 The learned Assistant Government Pleader for Revenue, State of Telangana, would however inform this Court that the petitioner has not applied in the prescribed format, as per the instructions received from the Tahsildar, Kothagudem Mandal.

5 Perusal of the record reveals that the petitioner did not submit the application in Form VI A under the Telangana Rights in Land and Pattadar Passbooks Act, 1971, (for brevity ‘the Act of 1971’), as per the due procedure. Without filing an application in the prescribed format, it is not open to the petitioner to complain of inaction on the part of the revenue authorities.

6 The Writ Petition is accordingly disposed of permitting the petitioner to file an application afresh in the prescribed format in Form VI A of the Act of 1971

seeking mutation in his favour in the revenue records. In the event such an application is made, the Tahsildar, Kothagudem Mandal, Kothagudem District, shall consider the said application on its own merits and take appropriate action thereon expeditiously and in any event, not later than four weeks from the date of receipt of such application, be it from whatever source.

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

JUSTICE SANJAY KUMAR

18th February, 2019
Kvsn

