

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.4337 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 Respondent No.5 herein in not taking any action for mutation of the name of the petitioner in the revenue records in respect of the land admeasuring Acs.2.10 gts in Sy. No.41/U situated at Munagala Village, Konijerla Mandal, Khammam District, pursuant to the written representation dt 15.10.2018 with Form VIA following by personal visits as being illegal, arbitrary, unjust and consequently direct Respondent No.5 herein to mutate the name of the petitioner in the revenue records and issue the pattadar pass book and title deeds to the petitioner in respect of the above said land 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.”

Perusal of the record however demonstrates that the petitioner made a written application on 15.10.2018 to the Tahsildar, Konijerla Mandal, Khammam District, enclosing an application in Form VI(A). This is not in accordance with the due procedure as the petitioner would have to make an application in Form VI(A) along with the requisite fee in terms of Section 4 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, and Rule 18 of the Telangana Rights in Land and Pattadar Pass Books Rules, 1989. As the petitioner has not followed the procedure prescribed, it is not open to him to complain of inaction on the part of the revenue authorities at this stage.

The Writ Petition is accordingly disposed of permitting the petitioner to make an application in the prescribed format along with the requisite fee to Tahsildar, Konijerla Mandal, Khammam District,

in the event he seeks mutation in the revenue records in relation to the subject land. In the event such an application is made, the Tahsildar, Konijerla Mandal, Khammam District, shall take appropriate action thereon 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.

01st March, 2019
dr

JUSTICE SANJAY KUMAR

