

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.4451 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.3 in not issuing the Pattadar Pass Book to the petitioner for his land to an extent of Acs.5.00 cents in Sy.No.778/A3 of Ananthagiri village and mandal, Suryapet District even though his name was mutated in the online Pahani and 1B register for the said land even after directions of the 2nd respondent on the representation submitted by the petitioner on 28.5.2018 as being illegal, arbitrary and is in violation of principles of natural justice and fair play apart from in violation of Articles 14 and 21 of the Constitution of India and consequently direct the respondent No.3 to forthwith issue new pattadar Pass book for the aforesaid 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 reflects that the petitioner was already issued a regular pattadar pass book under the provisions of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, in relation to the subject land. He made an application on 28.5.2018 to the District Collector, Suryapet, seeking issuance of a new pattadar pass book so that he could avail the benefit of the Rythu Bandhu scheme offered by Government of Telangana. The District Collector made an endorsement thereon to the effect that the Tahsildar, Ananthagiri Mandal, Suryapet District, should take appropriate action upon the petitioner's application. The seal affixed on the said application further demonstrates that the Tahsildar's office received this application on 29.5.2018.

In the light of the aforestated circumstances, it is not open to the Tahsildar, Ananthagiri Mandal, Suryapet District, to remain

inactive despite the directive of his superior, the highest administrative authority of the District. That apart, the Tahsildar cannot delay processing of the petitioner's application when it would have the adverse impact of denying the petitioner the benefit of the welfare scheme floated by the Government.

The Writ Petition is accordingly disposed of directing the Tahsildar, Ananthagiri Mandal, Suryapet District, to take appropriate action upon the petitioner's application dated 28.5.2018 for issuance of a new pattadar pass book in relation to the subject land on the strength of the regular pattadar pass book already issued to him expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order, be it from whatever source.

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

JUSTICE SANJAY KUMAR

05th March, 2019
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