

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.5489 OF 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the respondents in not mutating the names of petitioners in the revenue records in respect of land to an extent of Ac.3.20 guntas in Survey Nos.53 (A) and Ac.0.01 guntas in Survey No.54 (AA), vide Kaatha No.223 of Padamati Somavaram Village, Bibinagar Mandal, Yadadri District, as arbitrary and illegal.

2. Heard the learned counsel for the petitioners, the learned Assistant Government Pleader for Revenue appearing for the respondents and perused the record.

3. Learned counsel for the petitioners would submit that petitioner No.1 is the wife and petitioner Nos.2 and 3 are the children of late Sri Ramulu Goud; that they are the absolute owners and possessors of aforesaid lands, having acquired through late Sri Ramulu Goud, who in turn got the said lands through his mother; that they filed an application on 13.12.2018 before the 2nd respondent to mutate their names in the revenue records in respect of the said lands, but no action has been taken so far.

4. On the other hand, learned Assistant Government Pleader for Revenue would submit that one S.Ravi Sekhar S/o Venkaiah is said to be in possession of the subject lands covered by

Survey No.53A of Padamati Somavaram Village, Bibinagar Mandal.

5. The contention of learned Assistant Government Pleader for Revenue has not substantiated that any enquiry was conducted by the 2nd respondent/Tahsildar to hold that the said Ravi Sekhar is in possession of the subject land situated in Survey No.53A.

6. In the given circumstances, it is pertinent to state that when an application is filed for mutation, the Tahsildar concerned is required to conduct an enquiry under the provisions of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 and pass an order. Since no such order is passed in the case on hand, the 2nd respondent-Tahsildar, Bibinagar, Yadadri Bhuvanagiri District, is directed to conduct enquiry into the matter with regard to the application, dated 13.12.2018, submitted by the petitioners for mutation of their names in the revenue records and dispose of the same within a period of three(3) months from the date of receipt of a copy of this order.

7. With this direction, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Dr. SHAMEEM AKTHER, J

APRIL 23, 2019
YVL