

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5796 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 on the part of the respondents in not considering the petitioner's representations dated 18.06.2018, 20.09.2018, 24.12.2018, 11.02.2019, 12.02.2019, 18.02.2019 and 23.02.2019 for issuance of Pattadar Pass Book, Title Deed, I B and Pahanies for the petitioner's land to an extent of Acs.2-03 guntas in Sy.No.32/B Situated at Mahadevpur Village, Jayashankar Bhupalapally District, and to an extent of Ac.0-12 guntas in Sy.No.2/A, Mazidpally Village, Jayashankar Bhupalapally District, as illegal, arbitrary, void and contrary to the provisions of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, and consequently direct the respondents to consider the representations of the petitioner dated 18.06.2018, 20.09.2018, 24.12.2018, 11.02.2019, 12.02.2019, 18.02.2019 and 23.02.2019 for issuance of Pattadar Pass Book, Title Deed I B and Pahanies for the aforestated lands in accordance with the provisions of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, and 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 though the petitioner made several representations seeking mutation of his name in the revenue records in relation to the subject lands on the strength of a gift deed executed in his favour, he never made an application in the prescribed format in Form VIA as required by Section 4 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, read with Rule 18(2) of the Telangana Rights in Land and Pattadar Pass Books Rules, 1989.

Without making an application in the proper 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 in Form VIA along with the requisite fee to the Tahsildar, Jayashankar-Bhupalapally Mandal, Jayashankar Bhupalapally District. In the event such an application is made, the Tahsildar, Jayashankar-Bhupalapally Mandal, Jayashankar Bhupalapally District, shall consider the same in accordance with the due procedure and take appropriate action thereon expeditiously and in any event, not later than four weeks from the date of receipt of the application.

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

20th March, 2019
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JUSTICE SANJAY KUMAR