

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6761 of 2019

ORDER:

The grievance of the petitioner is that the Tahsildar, Kowdipally Mandal, Medak District, is not rectifying the entries in the new pattadar pass book issued to him and in the revenue records in relation to the extent of his landholding in Survey No.284/10/A5 of Mohammad Nagar Village, Kowdipally Mandal, Medak District, and also the nature of the land.

According to the petitioner, he owns an extent of Acs.4.20 guntas in the said survey number but the new pattadar pass book issued to him reduced the same to Acs.3.00. That apart, the entry therein is to the effect that the said land is an assigned land.

Sri N.Manohar, learned counsel for the petitioner, would point out that the kasara pahani of 1954-55 indicates that the entire extent of Acs.27.00 guntas in Survey No.284/10 of Mohammad Nagar Village, Kowdipally Mandal, Medak District, was shown as patta land and there is no basis for the revenue authorities to treat the same as assigned land. He would also draw the attention of this Court to the fact that the petitioner filed O.S.No.49 of 2010 before the learned Junior Civil Judge, Narsapur, seeking a declaration that the land admeasuring Acs.4.20 guntas in Survey No.28/10/A5 of Mohammad Nagar Village, Kowdipally Mandal, Medak District, was patta land and the said suit was decreed against the District Collector, Medak at Sanga Reddy District; the Mandal Revenue Officer, Kowdipally Mandal, Medak District; and the Sub-Registrar, Narsapur, *vide* judgment dated 13.02.2013. Further, he would also

point out that the regular pattadar pass book issued to the petitioner under the Telangana Rights in Land and Pattadar Pass Books Act, 1971, recorded the extent of his landholding in this survey number correctly as 'Acs.4.20 guntas' and also that it was owned by him.

In the light of the aforestated facts, it is not open to the Tahsildar, Kowdipally Mandal, Medak District, to make entries to the contrary in the new pattadar pass book issued to the petitioner or in the revenue records. Being a party to the judgment in O.S.No.49 of 2010 on the file of the Junior Civil Judge, Narsapur, the Tahsildar, Kowdipally Mandal, Medak District, is bound to give effect to it and cannot continue to treat the land in question as assigned land contrary to the declaratory decree passed therein.

The Writ Petition is accordingly disposed of directing the Tahsildar, Kowdipally Mandal, Medak District, to take appropriate action upon the petitioner's representation dated 28.8.2018, whereby he sought rectification of the entries in the revenue records, 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

17th June, 2019
dr