

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.7226 OF 2019

ORDER

The grievance of the petitioners is that the Tahsildar, Aswaraopet Mandal, Yadadri-Bhonagir District, is not effecting mutation in their favour in relation to the lands belonging to their deceased grand father which they are now claiming through succession.

Sri K.Chaitanya, learned counsel for the petitioners, would inform this Court that though no application was made by the petitioners in Form VI(A) as required by Section 4 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971(*for brevity*, 'the Act of 1971') read with Rule 18 of the Telangana Rights in Land and Pattadar Pass Books Rules, 1989, the Tahsildar, Aswaraopet Mandal, Yadadri-Bhonagir District, issued notice dated 08.01.2019 calling upon them to appear before him with documents to enable him to cause an enquiry into their claim. Learned counsel would further state that though the sixth respondent herein submitted his objection petition, he did not choose to appear thereafter before the Tahsildar but instigated the Station House Officer, Aswaraopet Police Station, Bhadrachalam District, to harass the petitioners.

In the light of the order proposed to be passed by this Court, it is not necessary to put the sixth respondent on notice or afford him an opportunity of hearing.

As it is an admitted fact that the petitioners did not submit an application in Form VI(A) along with the requisite fee and documents in terms of the prescribed procedure under the Act of 1971, no value can be attached to the notice dated 08.01.2019 issued by the Tahsildar,

Aswaraopet Mandal, Yadadri-Bhonagir District. It is for the petitioners to abide by the procedure prescribed in the statute.

The writ petition is accordingly disposed of permitting the petitioners to submit an application in the prescribed format in Form VI(A) along with the requisite fee and necessary documents. In the event such an application is filed, the Tahsildar, Aswaraopet Mandal, Yadadri-Bhonagir District, shall take appropriate action thereon in terms of Section 5(3) of the Act of 1971 by giving due notice and opportunity of hearing to all parties concerned. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of the application from the petitioners. During this exercise, the police shall not interfere in the matter or call upon the petitioners to attend in relation to this issue unless any crime has been registered and investigation in the said crime requires their presence.

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

21st JUNE, 2019

PGS

SANJAY KUMAR, J