

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.8192 OF 2019

ORDER:

Pursuant to the order, dated 24.04.2019, of this Court, respondent No.4/Tahsildar, Damera Mandal, Warangal District, is present in the Court today.

2. This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent No.4 in not issuing pattadar pass books to the petitioners in respect of the lands admeasuring Ac.16-17 guntas and Ac.9-33 guntas in Survey Nos.182 and 183, respectively, situated at Pasaragonda Shivar, Damera Mandal, Warangal District, as illegal and arbitrary and consequently, to direct respondent No.4 to issue pattadar pass books to the petitioners in respect of the subject lands, duly considering the representation, dated 19.12.2018, of the petitioners.

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

4. Learned counsel for the petitioners would contend that though the petitioners have complied with all the requirements for issuance of pattadar pass books in respect of the subject lands, no communication is made whether the request of the petitioners is considered or denied.

5. It has been submitted on behalf of respondent No.4/Tahsildar, Damera Mandal, Warangal District, that due to pendency of a Suit in O.S.No.228 of 2016 on the file of I Additional Senior Civil Judge, Warangal, and another Suit in O.S.No.124 of 2013 on the file of IV Additional District Judge (Fast Track Court), Warangal, the mutation process was not carried out. The same is communicated to the petitioners vide Memo bearing Rc.No.A/74/2019, dated 19.03.2019. However, respondent No.4, who is present in the Court, had orally undertaken before the Court that he will once again examine the record and pass necessary orders on the application, dated 19.12.2018, of the petitioners. In the course of submissions, it is also brought to the notice of this Court that there is no prohibitory order restraining respondent No.4 from mutating the names of petitioners in the revenue records and issuing pattadar pass books.

6. Under these circumstances, respondent No.4/Tahsildar, Damera Mandal, Warangal District, is directed to re-examine the whole issue, particularly, the representation of the petitioners, dated 19.12.2018, and dispose of the same in terms of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, preferably within a period of three (3) months from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

April 29, 2019.
MD

