

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12072 of 2019

ORDER:

1 The grievance of the petitioner is that the Tahsildar, Thurkapally Mandal, Yadadri Bhongir District, may effect mutation in favour of the unofficial respondents without considering his various representations.

2 The petitioner claims to have interest in the land admeasuring Ac.121.00 guntas in various survey numbers of Gandamalla village of Thurkapally Mandal, Yadadri Bhongir District. Perusal of the record reflects that the petitioner was already issued a regular pattadar pass book under the Telangana Rights in Land and Pattadar Passbooks Act, 1971 (for brevity 'the Act of 1971'). In that view of the matter and for the reasons stated hereunder, this Court does not deem it necessary to entertain and adjudicate this Writ Petition on merits. In consequence, it is not necessary to put the unofficial respondents on notice or afford them an opportunity of hearing.

3 Be it noted that a Full Bench of the Andhra Pradesh High Court in Chinnam Pandurangam vs. The Mandal Revenue Officer, Serilingampally Mandal, Ranga Reddy District¹ held to the effect that mutation cannot be effected by the recording authority without putting on notice all persons who are interested in the land who would be affected by such mutation.

4 As the petitioner was already issued a regular pattadar pass book in relation to various extents of land in Gandamalla Village, the Tahsildar, Thurkapally Mandal, is bound to put him on notice in the event any mutation is sought in relation to the lands covered by the said pattadar pass book, in terms of the law laid down in Chinnam Pandurangam (supra).

¹ 2007 (6) ALT 134

5 The Writ Petition is accordingly disposed of directing the Tahsildar, Thurkapally Mandal, Yadadri Bhongir District, to strictly abide by the aforestated decision and cause notice to be served on all persons interested as required by Section 5 (3) of the Act of 1971 before effecting any mutation in relation to the lands covered by the pattdar pass book issued to the petitioner.

4 Miscellaneous Petitions pending in this Writ Petition shall stand closed in the light of this final order. No order as to costs.

Date: 19th June, 2019.
Kvsn

JUSTICE SANJAY KUMAR

