

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13157 OF 2019

DATED :01.07.2019

Between :

S. Lingam S/o.late Rajaiah,
Aged about 52 yrs, Occu : Agriculture,
R/o.H.No.4-91/27/29, Chandrapuri Colony,
Near Indira Gandhi Statue,
Balaji Nagar, Shamirpet Mandal,
Medchal-Malkajgiri District & others.

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Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad & others.

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Respondents

This court made the following :

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ORDER :

Heard learned counsel for the petitioners and learned Government Pleader for Revenue.

2. According to petitioners, their father by name Sri Rajaiah along with his three brothers purchased agricultural land to an extent of Ac.6-07 guntas in Sy.No.321 of Poodur, Medchal Taluq, Hyderabad District, from the owner Sri B.Baga Reddy resident of Battonduga Bolaram through registered sale deed dated 22.09.1967. After the purchase his father and brothers divided the said property in an oral family partition and in pursuant thereof, their father got Ac.1-21 guntas, Pentaiah got Ac.1-23 gutnas, Sathaiah got Ac.1-22 guntas and Lingaiah got Ac.1-21 guntas. According to petitioners originally they belong to Battonguda village and migrated to Maddor. Since they were migrated to Maddor, they were called as persons belonging to Madduri and that has become their family name, though their family surname is "S". Petitioners claim that all along in the revenue records, the name of their father was recorded in the possessory column but from the year 1998-99 the name of father of petitioners was deleted from the possessory column. Aggrieved by such illegal deletion, a representation was made to the District Collector, Ranga Reddy District, on 21.02.2008. But no steps were taken. On 11.02.2019 a detailed representation was made to the District collector, explaining how they came in possession of the property in issue and how illegally the name of

Sri Gudur Yadi Reddy was entered in the revenue records against this property in collusion with the revenue authorities and requested the District Collector to conduct detailed enquiry in the matter, to direct the subordinates to verify and rectify the revenue records and to incorporate the names of petitioners, Sri Lingam and other brothers by deleting the name of Gudur Yadi Reddy from the revenue records, in respect of land to an extent of Ac.2-03 guntas in Sy.No.321, Pudur village, Medchal Mandal and District. Alleging inaction on the said representation, this writ petition is filed.

3. As briefly noted above, the material placed on record would show that at no point of time, in the revenue records, name of father of petitioners or any of the family members is reflected as pattadars, but the names of other persons were shown as pattadars and family member names are shown against possessory column. After 1999-2000, even from the possessory column, the names of petitioners or their family members, as the case may be, was deleted. After eight long years of such deletion a representation was stated to have been made. Thereafter they kept quiet for a decade and a fresh representation was made on 11.02.2019. Assuming what is contended by learned counsel for the petitioners is correct that there was valid sale transaction that took place in the year 1967, it is for the petitioners to assert their right in appropriate proceedings. This Court is not expressing any opinion on the claim of petitioners to mutate their names in the revenue records, reflection of names of family members in the revenue records against possessory column till 1999 and reflection of

other persons in the revenue records. Therefore, at this stage, the question of the authorities entertaining application and undertaking exercise of deleting the names of other parties and including the names of petitioners in the possessory column cannot be granted, when their names are never reflected in the revenue records as pattadars and in possessory column after 1999.

4. Thus, leaving it open to petitioners to work out their remedies based on their alleged sale transaction that took place in the year 1967, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

1st July, 2019
Rds

P.NAVEEN RAO,J

