

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15038 OF 2019

DATED :22.07.2019

Between :

Pingili Ranadheer Reddy S/o.Late Vijayapal Reddy,
Aged 65 yrs, Occu : Business,
R/o.H.No.10-2-43, West Maredpally,
Hyderabad rep., by his AGPA Yerrabelli Surender Rao,
S/o.Bapu Rao, Aged 41 yrs, Occu : Business,
R/o.H.No.5-9-81, Kishanpura, Hanamkonda,
Warangal Urban District.

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Petitioner

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 petitioner and learned Government Pleader for Revenue for respondents 1 to 4.

2. Petitioner claims to be the owner and in possession of land to an extent of Ac.11-00 guntas in Sy.No.774/1 and Ac.3-37 guntas in Sy.No.776/A situated at Waddepally Village, Hanamkonda Mandal, Warangal District. Based on the application filed by the unofficial respondents, the revenue records are corrected reflecting their names. Accordingly, pattadar pass books and title deeds were issued. Aggrieved by the order of Tahsildar in correcting the revenue records and issuing pattadar pass books and title deeds, petitioner preferred appeal before the Revenue Divisional Officer, Warangal Urban District. The appellate authority assigned Appeal No.3517 of 2018. It appears the appeal is pending. Petitioner also filed O.S.No.241 of 2019 pending in the Court of I-Additional Senior Civil Judge, Warangal, praying to grant injunction against interference by the defendants who are unofficial respondents herein. The trial Court granted *ex parte* injunction order. Petitioner now apprehends that the Tahsildar is going to issue new pattadar pass books and title deeds in favour of unofficial respondents. Alleging that when appeal is pending no pattadar pass books and title deeds can be issued, this writ petition is filed.

3. As fairly submitted by learned counsel for the petitioner, no application was moved before the Revenue Divisional Officer to grant interim order and only appeal is filed which is pending.

4. Admittedly, as of now, the revenue records reflect the names of unofficial respondents and they were also issued pattadar pass books and title deeds. Therefore, even if the Tahsildar undertakes the exercise of issuing new pass books and title deeds, the same cannot be held as illegal, and unless and until, petitioner succeeds before the appellate authority no restraint can be imposed on Tahsildar in issuing the pattadar pass books and title deeds in favour of unofficial respondents. Therefore, there is no merit in the contention of the petitioner.

5. Accordingly, the Writ Petition is dismissed. However, this order does not come in the way of petitioner filing appropriate application before the Revenue Divisional Officer, where the appeal is pending. Pending miscellaneous petitions, if any, shall stand closed.

22nd July, 2019
Rds

P.NAVEEN RAO,J