HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.17743 OF 2019

Date:20.08.2019

Between:

Banothu Meghana D/o.Banothu Joga Rao,
Aged about 13 yrs, Occu : Student & another
Being minors rep., by their grand father,
Banothu Dasru S/o.Ramji,
Aged about 30 yrs, Occu : Agriculture,
R/o.Pandurangapuram village, Palvoncha Mandal,
Bhadradri Kothagudem District.

.....Petitioners

And

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

.....Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO. 17743 OF 2019

ORDER:

Heard learned counsel for petitioners and learned Government Pleader for Revenue for respondents 1 to 3.

2. Petitioners are two minor children represented by their grandfather who is the deponent in the writ petition. According to the deponent the property standing in his name to an extent of Ac.4-30 guntas in Sy.Nos.130, 90 and 126 of Pandurangapuram Village, Palvoncha Mandal, Bhadradri Kothagudem District, was executed in favour of petitioners by way of Gift deed and has applied for mutation of names of his grand children. According to the deponent after the death of his daughter-in-law who is the mother of petitioners, his son Banothu Joga Rao married another lady and neglected his children. Therefore, the deponent is taking care of the petitioners. In order to safeguard the future interest of the petitioners, the entire extents of lands were gifted to petitioners.

3. A copy of the representation stated to have been made on 06.07.2019 is enclosed as Ex.P.1. Further, as per the procedure evolved by the respondent-Government, a person seeking mutation of his name in the revenue records has to file application in form VI-A through online web portal and only such applications are processed in accordance with the provisions of the Telangana State Rights in Land and Pattadar Passbooks Act, 1971 (for short the 'Act, 1971') and Rules made there under. Whereas, no such application was made by petitioners and no proof of submission of

such application/representation is filed. Therefore, it cannot be said that the Tahsildar is negligent in acting on the request of the deponent.

4. Thus, no relief as sought for can be granted. However, liberty is granted to petitioners to make application for mutation of their names in the revenue records, in prescribed form. As and when such application is made, the Tahsildar-3rd respondent shall consider the same by following the provisions of the Act, 1971, take appropriate steps and communicate the decision within a period of six (6) weeks from the date of submission of such application.

5. With the above observations, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

20th August, 2019
Rds