

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.17865 OF 2019

Date:20.08.2019

Between:

M/s. Yatnam Labs Limited,
(CIN : U24304TG2017PLC115152)
Rep., by its authorized representative
Mr.B.Srinivas Reddy S/o.B.Subba Reddy,
Aged 45 yrs, Occu : Manager,
Having its registered office at
H.No.8-3-166/1 & 2/105 to 108,
1st Floor, East Wing, C Block,
Challa Estate, Erragadda,
Hyderabad 500 018

.....Petitioner

And

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

.....Respondents

The Court made the following:

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ORDER:

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

2. According to petitioner-company, it purchased agricultural land to an extent of Ac.6-00 guntas in Sy.No.261/11/AA1 of Annaram Village, Gummadidala Mandal, Sanga Reddy District, vide sale deed dated 03.11.2018. Petitioner claims that it has applied for mutating the name of petitioner-company in the revenue records to the Mandal Revenue Officer, Gummadidala. At that stage, the unofficial respondents applied for Fouthi at Mandal Revenue Office and erected two boards. Petitioner also apprehends that the unofficial respondents have applied for mutation of their names in the revenue records. Petitioner therefore, filed an application before the Mandal Revenue Officer on 11.04.2019 not to entertain any application for mutation of names in favour of unofficial respondents. Alleging inaction, petitioner complained to the Joint Collector on 09.08.2019 requesting the Joint Collector to direct the Tahsildar not to entertain the application for mutation.

3. Even according to the pleadings in writ petition and the representation referred to above, the name of petitioner-company is not mutated in the revenue records and the application stated to have been filed is pending.

4. The Telangana State Rights in Land and Pattadar Passbooks Act, 1971 (for short the 'Act 1971') vests right in a person to apply for mutation of his/her name in the revenue records based on Succession/Gift/Purchase etc., and as and when such application

is made, it is the bounden duty of Tahsildar to consider the said application and take appropriate action as warranted, by following the procedure laid down under the Act, 1971 and the Rules made there under. Therefore, no mandamus can be issued to the Tahsildar not to entertain the application, even before application is made as that would be amounting to depriving the right of a person requesting for mutation. It is always open to the petitioner to raise objection, if application is made. Similarly it is always open to petitioner to prosecute the application stated to have been filed for mutation of name of petitioner-company in the revenue records on the above extent of land. Thus, the relief as sought for cannot be granted.

5. Accordingly, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

20th August, 2019
Rds