

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.21852 OF 2019

Date: 14.10.2019

Between:

Kummari Rajaiah S/o.Chinna Mallaiah,
Aged about 70 yrs, Occu : Agriculture,
R/o.Bala Mallupalli H/o.Basvapur,
Thangalapalli Mandal, Rajanna Sircilla District,
T.S.504 405 & another

.....Petitioners

And

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

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION NO.21852 OF 2019****ORDER:**

Heard learned counsel for the petitioners and learned Government pleader for Revenue for respondents 1 to 4.

2. Petitioners claim that they are the owners and in possession of lands admeasuring Ac.3-16 ½ guntas and Ac.3-16 guntas respectively in Sy.No.55 of Basvapur Village, Sircilla Mandal, Karimnagar District, having purchased the same in the year 1988 through registered sale deed. Their names are also mutated in the revenue records. While so, alleging that respondents 6 and 7 are interfering in their possession and enjoyment O.S.Nos.50 & 51 of 2015 are filed in the Court of Junior Civil Judge, Sircilla, to grant perpetual injunction against unofficial respondents. The trial Court granted status-quo on 26.06.2015 and the same is in force. While so, petitioners now allege that the unofficial respondents are trying to mutate their names in the revenue records. Having come to know that the unofficial respondents are trying to mutate their names in the revenue records, objections are filed by the petitioners. Alleging that the objections are not taken note of, this writ petition is filed.

3. If what is asserted by learned counsel for the petitioners is true, i.e., petitioners are in possession of the subject lands, it cannot be said that the Tahsildar would act upon the application made by the unofficial respondents to mutate their names without following due procedure as required by the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act, 1971') and the Rules made thereunder and without causing notice on the

petitioners, if not already revenue records are mutated. Therefore, no relief as sought for by the petitioners can be granted in the writ petition as it is pre-mature.

4. Accordingly, the Writ Petition is dismissed, leaving it open to the petitioners to work out their remedies as available in law, if proper procedure is not followed by the Tahsildar. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

14th October, 2019
Rds

