

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P.No.21859 of 2019

Date: 28.10.2019

Between :

K.Venkatapathi Raju

Petitioner

And

State of Telangana,
rep., by its Principal Secretary,
Revenue Department,
Secretariat Building, Hyderabad & others.

Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P.No.21859 of 2019

ORDER :

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

2. This is the second round of litigation on the issue of mutation of names in the revenue records in respect of land to an extent of Ac.8-17 guntas in Sy.No.774 of Upparpally village, Shameerpet mandal, Ranga Reddy district. W.P.No.38073 of 2017 filed by the very same petitioner was disposed of by this Court on 15.3.2018. The operative portion of the said order reads as under:

- “(1) The order dated 29.6.2016 of Tahsildar is set aside.
- (2) The matter is remitted to the Tahsildar to the stage of consideration of objections on the mutation applications filed by the petitioner on 15.4.2016 and the 3rd respondent on 10.5.2016 respectively.
- (3) The Tahsildar shall afford personal hearing, by fixing a date in advance and on due consideration of respective submissions he shall pass a reasoned order. It is open to the petitioner and 3rd respondent to raise all objections as available in law. It is also open to them to work out their remedies on the decision made by the 2nd respondent.
- (4) The entire exercise shall be completed within a period of eight (8) weeks from the date of receipt of copy of this order. The parties shall cooperate with the 2nd respondent in taking a decision. It is open to the 2nd respondent to pass orders based on the record, if either of the parties do not cooperate in early disposal. There shall be no order as to costs”.

3. After the said order, the Tahsildar passed order dated 9.9.2019, which is impugned in this writ petition. From a reading of the said order, it is apparent that mutation application filed by

the unofficial respondent was alone considered, ignoring the claim of the petitioner. This Court on 15.3.2018 passed a comprehensive order, directing the Tahsildar to consider the objections on the mutation applications filed by petitioner on 15.4.2016 and unofficial respondent on 10.5.2016 and in spite of specific directions, the Tahsildar passed the impugned order, ignoring the directions issued by this Court. Therefore, on the face of it, the impugned order is unsustainable and liable to be set aside and accordingly set aside. The matter is remitted to the 2nd respondent-Tahsildar with a direction to consider the case strictly in accordance with the directions issued by this Court in W.P.No.38079 of 2017 dated 15.3.2018. Since the matter is pending for long time, the 2nd respondent is directed to take up the matter on priority basis and complete the exercise within a period of four (4) weeks from the date of receipt of copy of this order by affording due opportunity to the petitioner as well as unofficial respondent by fixing dates of hearing.

4. The writ petition is accordingly allowed. As a sequel, the miscellaneous applications, if any, shall stand closed.

P.NAVEEN RAO,J

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DA

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