

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22574 OF 2019

DATED :17.10.2019

Between :

Regunta Narayana S/o.Posham,
Aged about 65 yrs, Occu : Retd. Employee,
R/o.Indharam Village, Jaipur Mandal,
Mancherial District (Erstwhile Adilabad District)

.. Petitioner

And

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

.. 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.

2. According to petitioner Sri Regunta Chanti was in possession of land to an extent of Ac.3-45 in Sy.No.411, Ac.2-00 in Sy.No.413, Ac.3-85 in Sy.No.415 of Indaram Shivar Village of Jaipur (M) Mancherial District and he executed a Veelunama in the year 2004 bequeathing the entire property to the petitioner. Mr. Regunta Chanti died in the year 2014. Petitioner came to know that the names of persons mentioned in his representation dated 18.07.2019, addressed to the District Collector, are in possession of various extents of lands, pattas were granted to them and pass books were also issued to them. Petitioner alleges that all this exercise was undertaken illegally and in corrupt manner by taking money from those persons, while affecting the right of petitioner from enjoyment of the said properties. Alleging that even though Collector directed to look into the grievance of petitioner, Tahsildar has not taken any action, this writ petition is filed.

3. Prima-facie, from the material on record, it is seen that Regunta Chanti was shown in possessory column. He died in the year 2014. A person can claim to enter into possession only when the other person was in continuous possession and with his consent. But in the instant case, even assuming that Regunta Chanti was in possession prior to 2014, atleast after his death, it cannot be said that the deceased person continued to be in

possession. Further, while petitioner mentioned the names of persons in the representation as mutated in the revenue records extents are not mentioned. Petitioner woke up in the year 2019, assuming that right is vested in him, makes an application on 17.07.2019, calling for information under the Right to Information Act to supply copies of pahanies for various years and thereafter makes a representation to the District Collector.

4. Having regard to these facts, the question of entertaining representation and conducting enquiry as to how the properties were mutated in the names of those persons at the instance of petitioner cannot be granted. Thus, relief prayed for can not be granted. Therefore, the writ petition is not maintainable. Thus, leaving it open to the petitioner to work out his remedies, as available in law, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

17th October, 2019
Rds

P.NAVEEN RAO,J