

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.22696 OF 2019

Date:18.10.2019

Between:

Punem Sakkubai, W/o. Late Hari Babu,
Aged about 60 years, Caste: Schedule Tribe,
(Koya), Occ: Agriculture, R/o.Kasinagaram
Village, Dummugudem Mandal,
Bhadradri Kothagudem District .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others .. Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

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

2. According to petitioner, her father-in-law owned land to an extent of Ac.1.00 in Survey No.26/P of Chinna Nallabelli Village, Dummugudem Mandal, Bhadradi Kothagudem District. After death of her husband, her father-in-law executed a gift deed dated 09.06.2004 bequeathing the above extent of land in favour of the petitioner and thereafter, she came into possession. On 25.03.2019, petitioner filed written representation enclosing a copy of the gift deed to the Tahsildar, Dummugudem Mandal, Bhadradi Kohagudem District, the 4th respondent, seeking mutation of her name in the revenue records by conducting enquiry under Section 5-A of the Telangana Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act'). Alleging inaction on the said representation, this Writ Petition is filed.

3. Learned Assistant Government Pleader for Revenue points out that as per the amendment carried out to Section 5-A of the Act, by virtue of T.S. Act 1 of 2018, sub-section (6) is incorporated. According to this Section, a person has to apply for granting regularization of sada registered transactions with reference to landed property on or before 31.12.2017. As this dead-line is not changed later also, unless and until an application is made before that date, the same cannot be processed.

4. Learned counsel for the petitioner does not dispute this fact, but sought to contend that the respondent authorities ought to have given a reply to the petitioner instead of keeping quiet.

5. What is contended by learned counsel for the petitioner may be true, but the fact remains that as per Section 5-A (6) of the Act, unless an application is made on or before 31.12.2017, the same cannot be processed. In view thereof, no useful purpose would be served in directing the 4th respondent to pass orders on the representation dated 25.03.2019 made by the petitioner, when statutory provision clearly mandates that no such representation is maintainable. Thus, the relief as sought for by the petitioner cannot be granted.

6. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out her remedies as available in law. Pending miscellaneous petitions, if any, shall stand closed.

Date:18.10.2019

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P.NAVEEN RAO, J