

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.24387 OF 2019

Date: 07.11.2019

Between:

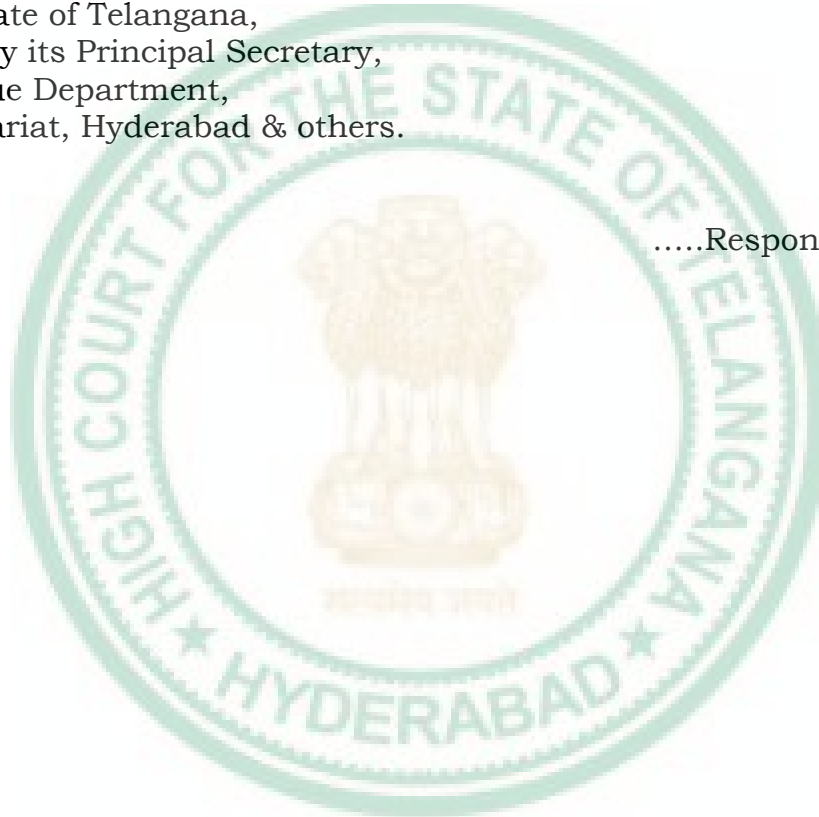
Potla Venkateswarlu @ Venkataiah,
S/o.Guravaiah, R/o.6-177,
Aged 78 yrs, Vallabhi Village,
Mudigonda Mandal, Khammam District.

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

2. Petitioner claims to be the absolute owner and in possession of land to an extent of Acs.2-20 in Sy.No.274/2, Peddamandava Village, Mudigonda Mandal, Khammam District. Earlier he was issued pattadar pass book and title deed. While so, petitioner now apprehends that the respondents 5 to 7 are intending to apply for issuance of pattadar pass books and title deeds and that he reliably learnt that the efforts are being made by them to get pattadar pass books and title deeds in their favour. Having come to know of the said decision of respondents 5 to 7, petitioner made a representation on 04.09.2019 to the Tahsildar, Mudigonda Mandal, Khammam District. Alleging inaction on the representation made requesting not to entertain any application for issuance of pattadar pass books and title deeds on the above extent of land, this writ petition is filed.

3. As noticed above, from a reading of the prayer in the writ petition it is apparent that petitioner is apprehending of an application to be filed by the respondents 5 to 7 requesting to issue pattadar pass books and title deeds in their favour. But so far, no such application is filed. Thus, on apprehension representation was made and alleging inaction on the said representation, this writ petition is filed.

4. Further as can be seen from paragraph No.6 of the affidavit filed in support of the writ petition, petitioner filed

application before the Joint Collector, Khammam in the year 2015 to remove the names of respondents 5 to 7 from the possessory column and in the revenue records. He also filed O.S.No.102 of 2015 on the file of Senior Civil Judge, Khammam seeking declaration of title and injunction. Petitioner alleges that a fraudulent sale deed was created and registered as if the property was sold by the petitioner and based on the said document, respondents 5 to 7 are now taking active steps to get their names mutated in the revenue records and in such case grave prejudice would be caused to him.

5. In view of the fact that petitioner has already approached the Joint Collector and that he has also instituted civil suit the grievance itself is premature and this Court is not inclined to entertain the writ petition.

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

P.NAVEEN RAO, J

7th November, 2019
Rds