

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27998 OF 2019

Date: 18.12.2019

Between:

Chawan Ganesh, s/o. late Dev Singh,
Aged 50 years, occu: Agriculture,
r/o. Anduguda village, Jainoor Mandal,
Kumurambheem Asifabad district and
another.

.....Petitioners

and

The State of Telangana, rep.by its
Principal Secretary, Revenue Dept.,
T.S. Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioners claim that their father was assigned land to an extent of Ac.0.02 guntas in Sy.No.1/221/A; Acs.6.37 guntas in Sy.No.1/235/A; Ac.0.02 guntas in Sy.No.1/222/B and Acs.6.37 guntas in Sy.No.1/235/A of Gudamamada village of Jainoor Mandal, and after death of their father, they have succeeded to the property and they have been in cultivation and enjoyment of the said property. By proceedings dated 08.03.2019, the Tahsildar cancelled the assignment granted to the petitioners and converted the status of lands as Kharij khata in revenue records. According to the learned counsel for petitioners, this order is not challenged in the form of appeal nor it is under challenge before this Court within the parameters of judicial review. After cancellation of the assignment, the District Collector seems to have ordered for reassignment of the same land to the beneficiaries under the Telangana Assigned lands (Prohibition of Transfers) Act, 1977. In accordance with the directions of the District Collector, the Tahsildar seems to have passed orders on 04.12.2019 assigning the lands to the beneficiaries. Said proceedings are not under challenge nor appeal is preferred against the same, assuming that the petitioners are entitled to go in appeal against the said proceedings. After assignment was granted in favour of beneficiaries, on 07.12.2019 the Tahsildar writes a letter to the Revenue Divisional Officer eliciting information from the Revenue Divisional Officer to take up the exercise of mutating the names of

the assignees. Petitioners challenge the said letter in this Writ Petition.

2. Two things have to be noticed; firstly the assignment granted to the petitioners was cancelled and the same land is assigned to the beneficiaries. These two orders are not under challenge before the appellate authority or in this Writ Petition. Secondly, what is challenged is the internal correspondence between the lower authority eliciting information on steps required to be taken to mutate the name of persons in whose favour assignment was granted from the higher authority. There is no decision made in the said correspondence affecting the petitioners' existing right. Thus, the said internal correspondence cannot be the basis to institute the Writ Petition. Therefore, I see no merit in the Writ Petition and is accordingly dismissed, leaving it open to petitioners to work out their remedies as available in law on any subsisting grievance. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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