

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28891 OF 2019

Date:30.12.2019

Between:

Padishala Venkanna, S/o. Guruvaiah,
Aged about 45years, Occ: Coolie,
R/o. Gummaduru, Mahabubabad
Mandal and district

.. Petitioner

And

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

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.28891 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Revenue for respondents 1 to 3.

2. From the material on record, it is apparent that agricultural land to an extent of Ac.0.20 guntas in Survey No.287/150 of Gummaduru Outskirts, Mahabubabad Mandal and District, was earlier assigned to the petitioner. There was a claim of purchase of land to an extent of Ac.0.16 guntas in Survey No.287/150 by one Balaskuri Kumaraswamy, respondent No.4 herein. Having come to know that contrary to the assignment conditions land was allotted, the assignment was cancelled and land was resumed by the Government and as of now the revenue records reflect the status of the subject land as the Government land. While so, respondent No.4 instituted O.S.No.27 of 2015 on the file of the Principal Junior Civil Judge, Mahabubnagar, against the petitioner and others praying to grant decree of perpetual injunction and direction not to interfere with the possession and enjoyment over the suit schedule land. The said suit was dismissed by judgment dated 10.06.2019. After dismissal of the said suit, petitioner made representation, dated 17.10.2019, stating that in view of dismissal of the suit by the unofficial respondent No.4 holding that he is not in possession and enjoyment over the subject land, the name of the petitioner should be reflected in the revenue records.

3. The averments of the affidavit filed in support of the Writ Petition are silent as to how such claim is made. However, the

material on record would disclose that the assignment was granted and land was resumed by the Government. On resumption of the land, no re-assignment was granted in favour of the petitioner without prosecuting the grievance regarding the claim for re-assignment, even if petitioner is entitled, he cannot request the Tahsildar to mutate his name in the revenue records. Therefore, the claim made by the petitioner in the representation dated 17.10.2019 is not valid in law. Thus, no direction as sought for can be granted to the petitioner.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out his remedies for re-assignment of land, if he is entitled otherwise. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

P.NAVEEN RAO, J

Date:31.12.2019

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