

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28928 OF 2019

Dated:30.12.2019

Between:

Md. Rahman, S/o. Late Rajak,
Aged 50 years, Occ: Vegetable Business,
R/o.H.No.5-10-7, Coolie Line,
Kothagudem Mandal, Bhadradi
Kothagudem District and others

.. Petitioners

And

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

.. Respondents



This Court made the following:

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ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for respondents 1 to 4.

2. Petitioners allege that their grandfather by name Late Mohd. Zadeed Shareef was the pattadar of land to an extent of Acs.15.00 in Survey No.237/Ru (237/27/1) of Sudimalla Revenue Village, Yellandu Mandal, Bhadradi Kothagudem District. Petitioners claim that though they made application on 04.09.2018 seeking mutation of their names in the revenue records, so far their names are not mutated. The petitioners now claim that the unofficial respondents are in the process of making application/applications for mutation of their names in the revenue records. Having come to know the endeavour of the unofficial respondents to mutate their names in the revenue records, the petitioners made representation dated 26.06.2019 before the Revenue Divisional Officer, Kothagudem, and the Tahsildar, Yellandu Mandal, requesting them not to entertain such application/applications for mutation and not to mutate their names in the revenue records. Alleging inaction on the said representation, this Writ Petition is filed.

3. From the reading of the representation itself, it is clear that by the time the representation was made or even by now, no application was made seeking mutation of names in the revenue records by the unofficial respondents. The Telangana Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act, 1971')

and the Rules made thereunder clearly provide detailed procedure for entertaining application filed in a prescribed form, issuing notices to the interested persons, consideration of the application and passing of the orders. Thus, even before an application is made or notices are issued, the petitioners cannot make application/representation requesting the authority concerned not to entertain such application and preempt a person to make an application. A valuable right is vested in any person to seek mutation of his/her name in the revenue records by filing application and the Tahsildar is required to receive such application and to follow the due procedure as required by the Act, 1971 and the Rules made thereunder to consider the application. Therefore, the Writ Petition merits no consideration.

4. The Writ Petition is accordingly dismissed. Pending Miscellaneous Petitions, if any, shall stand closed.

Date:30.12.2019

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P. NAVEEN RAO, J