

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.35862 OF 2018

ORDER

The prayer of the petitioners in this case reads as under:

‘For the reasons stated in the accompanying affidavit it is prayed that, the Hon’ble Court may be pleased to pass appropriate order or orders more particularly one in the nature of Writ of Mandamus declaring the action of Respondent No.3 in not carrying the names of the petitioners in the Revenue Records based on the Registered Sale Deeds vide (i) Document No.222 of 2017 dated 16.01.2017 in favor of Petitioner No.2 in respect of land admeasuring Acres 8.21 guntas in Survey No.145, (ii) Document No.223 of 2017 dated 16.1.2017 in favor of the Petitioner No.1 in respect of land admeasuring Acres 14.13 guntas in survey No.146, (iii) Document No.6807 of 2017 dated 08.08.2017 in favor of Petitioner No.2 in respect of land admeasuring Acres 4 in survey No.141, and (iv) Document No.6808 of 2017, dated 08.08.2017 in favor of Petitioner No.1 in respect of lands admeasuring Acre 1.13 guntas in survey No.140 and Acres 3.27 guntas in survey No.141 totally 5 acres, all situated at Kurmed Village and Gram Panchayat, Chintapally Mandal, Nalgonda District, and not issuing the pattadar passbook in favour of the Petitioner as arbitrary, illegal, unjust and violative of fundamental rights guaranteed under Articles 14 and 19 (1) (g) of Constitution of India and violative of constitutional right guaranteed under Article 300(A) of Constitution of India or pass such other or orders as this Hon’ble Court may deem fit and proper in circumstances of the case.’

Perusal of the record reflects that the petitioners made handwritten representations dated 16.02.2017 and 10.08.2017 to the Tahsildar, Chintapally Mandal, Nalgonda District. This is not in accordance with the due procedure as Section 4 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 read with Rule 18 of the Telangana Rights in Land

and Pattadar Pass Books Rules, 1989 require the petitioners to make an application in Form VI(A) to the Tahsildar concerned along with the requisite fee.

Having failed to abide by the due procedure, it is not open to the petitioners to allege inaction on the part of the revenue authorities.

The writ petition is accordingly disposed of permitting the petitioners to make an application in the prescribed format in Form VI(A) along with the requisite fee if they seek mutation and issuance of pattadar pass books in relation to the subject land. In the event such an application is made, the Tahsildar, Chintapally Mandal, Nalgonda District, shall take appropriate action upon the said application in accordance with the due procedure expeditiously and in any event, not later than four weeks from the date of its receipt.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

1<sup>st</sup> MARCH, 2019

PGS