

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.46041 OF 2018

O R D E R:

1 Despite the matter having undergone two adjournments to enable the learned Assistant Government Pleader for Revenue, State of Telangana to get instructions, the learned Assistant Government Pleader would inform this Court that no instructions were furnished till date.

2 The grievance of the petitioner is that the revenue authorities are not taking steps to enter his name as the pattadar and possessor in relation to the extent admeasuring Ac.4-26 guntas in Sy.Nos.41 and 42AA of Malkaram Revenue Village, Shamshabad Mandal, Ranga Reddy District.

3 It appears that the petitioner and another purchased the subject land under registered sale deed dated 25.08.2003, bearing document No.1875 of 2003, from G. Suvarna and Dr.K.V. Rama. It is relevant to note that Suvarna and K.V.Rama filed an appeal under Section 5 (b) of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for brevity 'the Act of 1971') before the Revenue Divisional Officer, Chevella Division, Ranga Reddy District, aggrieved by the order dated 21.12.1998 passed by the Mandal Revenue Officer, Shamshabad Mandal, in respect of the subject land. This appeal was filed against two individuals, by name, Ainala Janga Reddy and A. Bal Reddy. By order dated 13.11.2001, the Revenue Divisional Officer allowed the appeal and directed the Mandal Revenue Officer, Shamshabad Mandal to grant mutation in favour of the appellants. Sri Bankatlal Mandhani, learned counsel for the petitioner, would state that the aforesaid order attained finality, but despite the same, the revenue authorities are not giving effect to it, whereby the petitioner's vendors' names would first have to be mutated and pursuant to the sale effected by them, the names of the

petitioner and the co-vendee would have to be entered in the revenue records.

4 In the light of the aforestated facts, this Court is of the opinion that it is not open to the revenue authorities to fail to give effect to a statutory appellate order in the event it attained finality.

5 The Writ Petition is accordingly disposed of directing the Tahsildar, Shamshabad Mandal, Ranga Reddy District, to give effect to the order dated 13.11.2001 passed by the Revenue Divisional Officer, Chevella Division, Ranga Reddy District, in Appeal No.C/1038/99 filed by Suvarna and Dr. K.V. Rama, the vendors of the petitioner, in the event the said order has attained finality and has not been set aside or suspended by any higher authority or a competent Court of law. The revenue authorities shall thereupon consider the representation dated 30.07.2018 made by the petitioner in relation to his name being mutated in the revenue records, after examining his claim that his co-vendee transferred his rights under the registered sale deed to him, and take appropriate action for mutation in the revenue records. This entire exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

6 Pending Miscellaneous Petitions, if any, shall also stand closed.
No order as to costs.

JUSTICE SANJAY KUMAR

11th February, 2019
Kvsn