

**HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)**

**THURSDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY**

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 12207 OF 2020

Between:

1. Julakanti Narsi Reddy, S/o.Baswa Reddy Aged about 82 years Occ-Agriculture R/o.Narsimhulagudem village, Munagala Mandal, Suryapet District (Old Nalgonda District)
2. Julakanti Baswa Reddy, S/o.Narsi Reddy Aged about 56 years Occ-Agriculture R/o.Narsimhulagudem village, Munagala Suryapet District (Old Nalgonda District)

...PETITIONERS

AND

1. State of Andhra Pradesh, Rep. by Principal Secretary to Government, Revenue Department, Telangana Secretariat, Hyderabad.
2. District Collector, Suryapet District at Suryapet.
3. Tahsildar, Munagala Mandal, Suryapet District.
4. Palle Naga Laxmi, W/o.Narsi Reddy Aged 36 years Occ- Household R/o.Guduguntlapalem village of Nereducherla Mandal, presently Residing at Narsimhulagudem Village, Munagala Mandal, Suryapet District (Old Nalgonda District).
5. Modugu Koti Reddy, S/o.Venkat Reddy Aged 61 years Occ- Agriculture R/o.Bethavolu village of Chilukuru Mandal Suryapet District (Old Nalgonda District).
6. Modugu Krishna Reddy, S/o.Venkat Reddy Aged 53 years Occ - Agriculture R/o.Bethavolu village of Chilukuru Mandal Suryapet District (Old Nalgonda District)
7. Modugu Venkat Reddy, S/o.Venkat Reddy Aged 51 years Occ Agriculture R/o.Bethavolu village of Chilukuru Mandal Suryapet District (Old Nalgonda District)
8. Bobbili Padma, W/o.Venkat Reddy Aged 47 years Occ- Agriculture R/o.Bethavolu village of Chilukuru Mandal Suryapet District (Old Nalgonda District)

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction on the part of 3rd Respondent, on the my representation dt.31.12.2018 for issuing pattadar Pass Book Cum Title Deed and mutation of my name in all online web land revenue records including Adangal Pahanies, I-B register and Record of Rights connected to the landed property of Sy.No.102/3 adm Ac.0-59 cents, Sy.No.102/4 adm Ac.1-50 cents, Sy.No.103/2 adm Ac.2-02 cents, Sy.No.181/1 adm Ac.2-39 cents, Sy.No.181/2 adm Ac.2-08 cents, Sy.No.184/1 adm Ac.1-44 cents, Sy.No.184/2 adm Ac.0-95 cents, Sy.No.188/2 adm Ac.1-34 cents and Sy.No.188/3 adm Ac.2-11 cents, total extent of Ac.14-42 cents situated at Repala village of Narsimhulagudem, Munagala Mandal, Suryapet District as illegal, irregular, irrational and amounts to non-discharge of Legal Obligation conferred on him under the provisions of Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 and rules framed there under and offends Articles 14 and 21 of Constitution of India and consequently direct the 2nd Respondent to issue Pattadar Pass Book cum Title Deed and mutate our names equally in all online web land revenue records including Adangal Pahanies, I-B register and Record of Rights in favor of the Petitioners in respect of the said land of the Petitioners.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct 2nd Respondent to consider and decide our representation dated 31.12.2018 submitted for issue of pattadar pass book cum title deed and for mutation of our names equally in all online web land revenue records including Adangal Pahanies, I-B register and Record of Rights in respect of the land Sy.No.102/3 adm Ac.0-59 cents, Sy.No.102/4 adm Ac.1-50 cents, Sy.No.103/2 adm Ac.2-02 cents, Sy.No.181/1 adm Ac.2-39 cents, Sy.No.181/2 adm Ac.2-08 cents, Sy.No.184/1 adm Ac.1-44 cents, Sy.No.184/2 adm Ac.0-95 cents, Sy.No.188/2 adm Ac.1-34 cents and Sy.No.188/3 adm Ac.2-11 cents, total extent of Ac.14-42 cents situated at Repala village of Narsimhulagudem, Munagala Mandal, Suryapet District, pending disposal of the main writ petition.

Counsel for the Petitioners:SRI. N VISHNU MURTHY

Counsel for the Respondent Nos. 1 to 3: GP FOR REVENUE

Counsel for the Respondent Nos. 4 to 8: NONE APPEARED

The Court made the following:

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.12207 of 2020

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

This writ petition is filed seeking a direction to respondent No.3 to pass necessary orders on the representation submitted by the petitioner on 31.12.2018 for mutation of his name and issuance of pattadar passbook and title deed in his favour, in respect of the subject lands.

The learned Government Pleader points out that as can be seen from the averments of the writ affidavit, at the end of paragraph No.5, the petitioner himself has stated that the official respondents have changed the name of late Julakanti Rami Reddy to Respondent Nos.4 to 8 in the revenue records. Hence, the remedy available to the petitioner is to file an appeal before the Revenue Divisional Officer concerned, as mandated under Section 5 of The Telangana Rights in Land and Pattadar Passbooks Act, 1971, (in short 'ROR Act'). However, without availing the said remedy, the petitioner has directly approached this Court and therefore, the writ petition is not maintainable.

The learned counsel for the petitioner fairly states that the petitioner has not filed any appeal, seeks some time for filing the appeal and also seeks a direction to the appellate authority to dispose of the appeal within a particular time-frame.

Having regard to the above made submissions, the Writ Petition is disposed of with a direction to the petitioner to prefer an appeal under Section 5 of the ROR Act before the Revenue Divisional Officer, questioning the action of the 3rd respondent-Tahsildar in mutating the name of the unofficial respondents in the revenue records in respect of the subject lands, within a period of two weeks from the date of receipt of a copy of this order. On such appeal being filed, the appellate authority is directed to dispose of the appeal preferred by the petitioner, as expeditiously as possible, preferably within a period of four months from the date of filing of the appeal, after issuing notices to the petitioner as well as other interested persons and affording an opportunity of hearing to them.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-CH.VENKATESWARULU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to Government, Revenue Department, State of Andhra Pradesh, Telangana Secretariat, Hyderabad.
2. District Collector, Suryapet District at Suryapet.
3. Tahsildar, Munagala Mandal, Suryapet District.
4. One CC to Sri.N. Vishnu Murthy, Advocate (OPUC)
5. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad (OUT)
6. Two CD Copies.

PM

HIGH COURT

DATED:20/08/2020



ORDER

WP.No.12207 of 2020

Disposing the WP
Without costs

8
PLMA
02/09/2020.