

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

WEDNESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY

**PRESENT
THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER**

WRIT PETITION NO: 16750 OF 2020

Between:

Dasari Laxman Kumar, S/o. Late Narayan Das, Aged about 50 years, agriculture,
Resident of H. No. 9-1-74, Bhadrachalam Town and Mandal, Bhadrachalam-Kothagudem
District

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department,
Secretariat, Hyderabad
2. The District Collector, Kothagudem, Bhadrachalam-Kothagudem District.
3. The Revenue Divisional Officer, Bhadrachalam, Bhadrachalam-Kothagudem District.
4. The Tahsildar, Bhadrachalam, Bhadrachalam Mandal, Bhadrachalam-Kothagudem
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 an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in not considering petitioner application dated 18/04/2019 as illegal and arbitrary and consequently direct the 4th respondent to consider and dispose of the petitioner's application dated 18/04/2019

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 the 4th respondent to consider petitioner's application dated 18/04/2019

Counsel for the Petitioner : SRI R.R.KALYAN

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.16750 of 2020

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner, wherein, the following prayer is made.

"...to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 4th respondent in not considering petitioner application dated 18-04-2019 as illegal and arbitrary and consequently direct the 4th respondent to consider and dispose of petitioner application dated 18-04-2019 and to pass such other order or orders..."

2. Heard both sides. Perused the record.
3. The learned counsel for the petitioner would contend that originally, the land admeasuring Acs.14.90 cents in Survey No.128 situated at Bhadrachalam Village and Mandal, Bhadradi-Kothagudem District, belonged to one Bellamkonda Komalanabhudu, the father of the grandmother of the petitioner. Since the grandmother of the petitioner was the only child of said Bellamkonda Komalanabhudu, she inherited the said property and after her demise, the father of the petitioner inherited the said property and after his demise, the said land devolved upon the petitioner by virtue of a registered Will Deed bearing document No.53 of 1994 registered at the office of the Sub-Registrar, Bhadrachalam. On an earlier occasion, the petitioner submitted an application, dated 13.07.2000, under Form 6-A, to the authorities concerned to mutate his name in the revenue records in respect of the subject land, but no action has been taken on that application. Subsequently, the petitioner submitted the subject application, dated 18.04.2019, under Form 6-A to the 4th respondent/Tahsildar, Bhadrachalam Mandal, Bhadradi-Kothagudem District, for mutation of the subject land in his name. Though one

and half year elapsed, no action has been taken on the said application and ultimately requested this Court to direct the 4th respondent to dispose of the subject application, dated 18.04.2019, forthwith.

4. On the other hand, the learned Assistant Government Pleader for Revenue appearing for the respondents would submit that in view of enactment of Telangana Rights in Land and Pattadar Pass Books Act, 2020, by the Government of Telangana, the petitioner is required to submit on-line application under Section 6(1) of the said act for effecting any changes in the records of rights.

5. In the given circumstances, the subject application, dated 18.04.2019, filed by the petitioner is not in order and as such, the relief sought by the petitioner in this writ petition cannot be granted. He is required to file an on-line application under Section 6(1) of the new Telangana Rights in Land and Pattadar Pass Books Act, 2020, for effecting changes, if any, in the revenue records. The petitioner is granted liberty to do so. On filing of such an application by the petitioner, the 4th respondent/Tahsildar, Bhadrachalam, Bhadrachalam-Kothagudem District, is directed to dispose of the same expeditiously.

6. With the above observation/direction, this writ petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

//TRUE COPY//

Sd/-K.AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Tahsildar, Bhadrachalam, Bhadrachalam Mandal, Bhadrachalam-Kothagudem District.
2. One CC to Sri. R.R.Kalyan, Advocate [OPUC]
3. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies

Kj.

HIGH COURT

Dr.SA,J

DATED:07/10/2020



ORDER

WP.No.16750 of 2020

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

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Dr-14/10/2020