

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

TUESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 18165 OF 2020

Between:

Karri Venkata Ramanamma @ Kari Ramanamma, W/o Krishnaiah, aged about 44 years, Occ Housewife, R/o. H.No. 4-304, Chaparalapalli Village, Mulakalapalli Madal, Bhadradi Kothagudem District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principle Secretary, Revenue Department Secretariat, Hyderabad.
2. The District Collector, Bhadradi Kothagudem District.
3. The Revenue Divisional Officer,, Bhadradi Kothagudem, Bhadradi Kothagudem District.
4. The Tahsildar, Mulakalapalli, Bhadradi 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 that the Inaction of the 4th respondent, in mutating the land to an extent of to an extent of Ac. 0.30 Guntas, of Agricultural wet Land in Survey No. 295/AA, situated at Chaparalapalli village, H/o. Ramchandrapuram, Mulakalapalli Mandal, Bhadradi Kothagudem District, in favour of the petitioner, pursuant to her representation dated 20/6/2020, as illegal, arbitrary, contrary to law, being violative of the rights under Articles 14, 19 and 21 of the Constitution of India and consequently direct the fourth respondent to mutate the above said land in favour of the petitioner.

(Prayer is amended as per Court order dated 18.06.2021 in I.A.No.1 of 2021)

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 mutate the land to an extent of to an extent of Ac. 0.30 Guntas, of Agricultural wet Land in Survey No. 295/AA, situated at Chaparalapalli village, H/o. Ramchandrapuram, Mulakalapalli Mandal, Bhadradi Kothagudem District, in favour of the petitioner, by duly disposing of the representation made by the petitioner, dated 20/6/2020, pending disposal of the above writ petition

(Prayer is amended as per Court order dated 18.06.2021 in I.A.No.1 of 2021)

IA NO: 2 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 permit

the petitioner to amend and substitute the cause title in respect of the petitioner as Karri Venkata Ramanamma @ Karri, Ramanamma, W/o Krishnaiah, aged about 44 years, Occ : Housewife, R/o. H.No. 4-307, Ramachandrapuram Village, Chaparalapalli Post, Mulakalapalli Madal, Bhadradi Kothagudem District instead of Karri Venkata Ramanamma @ Kari Ramanamma, W/o Krishnaiah, aged about 44 years, Occ : Housewife, R/o. H.No. 4-304, Chaparalapalli Village, Mulakalapalli Madal, Bhadradi Kothagudem District in W.P. (SR) No. 23221 of 2020, and also In the IA.

Counsel for the Petitioner: SRI CH. VENKAT RAMAN

Counsel for Respondents: ASSISTANT GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.18165 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 that the inaction of the 4th respondent, in mutating the land to an extent of Ac.0.30 Guntas of Agricultural wet Land in Survey No.295/AA, situated at Chaparalapalli Village H/o. Ramchandrapuram, Mulakalapalli Mandal, Bhadradi Kothagudem District, in favour of the petitioner, pursuant to her representation dated 20.06.2020, as illegal, arbitrary, contrary to law, being violative of the rights under Articles 14, 19 and 21 of the Constitution of India and consequently, direct the fourth respondent to mutate the above said land in favour of the petitioner and pass such other order or orders..."

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue appearing for respondents and perused the record.
3. The learned counsel for the petitioner would submit that the petitioner is the owner and possessor of agricultural land admeasuring Ac.0.30 guntas in Sy.No.**295/AA** situated at Chaparalapalli Village, H/o.Ramchandrapuram, Mulakalapalli Mandal, Bhadradi Kothagudem District and he made an application dated 20.06.2020 before the respondent No.4-Tahsildar, Mulakalapalli Mandal, seeking to mutate her name in the revenue records but till date no action has been taken by the respondents and ultimately requested this Court to grant the relief as indicated above.

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 (Act 7 of 2020) by the Government of Telangana, the petitioner is required to follow the procedure contemplated under Section 6 (1) of the said Act for effecting any changes in the records of rights.

5. Admittedly, no procedure as contemplated under Section 6(1) of the new Telangana Rights in Land and Pattadar Pass Books Act, 2020, has been followed by the petitioner. Therefore, the petitioner is directed to follow the procedure contemplated under Section 6(1) of the said Act, within fifteen(15) days from today. On following such procedure, the respondent No.4-Tahsildar, is directed to examine and pass appropriate orders, in accordance with law, expeditiously.

6. With the above observations, 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.

**SD/-K.SAILESHI
ASSISTANT REGISTRAR**

NOTE: The Survey Number which is read as "Survey No.295/A' in the Prayer Portion and in the Order dated 03.11.2020 in W.P.No.18165 of 2020 is corrected as "Survey No.295/AA" as per the Orders of the Hon'ble Court dated 18.06.2021 in I.A.No.1 of 2021 in W.P.No.18165 of 2020.

This Amended Order shall substitute the earlier order which has already been dispatched on 09.11.2020

//TRUE COPY//

**SD/- K. SAILESHI
ASSISTANT REGISTRAR**


SECTION OFFICER

To,

1. The Tahsildar, Mulakalapalli, Bhadradi Kothagudem District.
2. One CC to Sri Ch. Venkat Raman, Advocate [OPUC]
3. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. (OUT)
4. Two CD Copies


MBC
A.D.

HIGH COURT

DATED: 03/11/2020
DATED: 18/06/2021



AMENDED ORDER
WP.No.18165 of 2020

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

ASJ
16/7/2021 6