

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

THURSDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 21053 OF 2020

Between:

1. Smt K. Sharada Reddy, W/o late K.Stanely aged about 49 years, R/o at H.No.8-13-140/28/A&B, Kings Colony, Shastrapuram Road, Shivarampally, Rangareddy District
2. K.S.Vikramaditya Reddy, S/o late K.Stanely Reddy aged about 23 years, R/o at H.No.8-13-140/28/A&B, Kings Colony, Shastrapuram Road, Shivarampally, Rangareddy District
3. K.S.Veerendra Reddy, S/o late K.Stanely Reddy, aged about 19 years, R/o at H.No.8-13-140/28/A&B, Kings Colony, Shastrapuram Road, Shivarampally, Rangareddy District

...PETITIONERS

AND

1. State of Telangana, rep. by its Principal Secretary, Department of Revenue, Secretariat, Hyderabad
2. The District Collector, Rangareddy District
3. The Revenue Divisional Officer, Rajendranagar Division, Rangareddy District
4. The Tahsildhar, Shamshabad Mandal Mandal, Rangareddy 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 in the nature of a writ of mandamus or any other appropriate writ, direction, order or orders declaring the action of the respondent No.3 herein in not issue the E-pass book and title deed vide representation dt.26-09-2020 in respect of the petitioners agricultural dry lands in an extent of Ac.1 -04 gts in Sy.No.707, an extent of Ac.1-37 gts in Sy.No.743, an extent of Ac.5-37 gts in Sy.No.745(part) and an extent of Ac.5-39 cents in Sy.No.745 total an extent of Ac.14-37 guntas situated at Sidhanthi village of Shamshabad Mandal, Ranga Reddy District, having acquired the same from inheritance from my husband late K.Stanely Reddy who purchased the same under sale deeds dt.06/12/2005 and 17/12/2005 from its owners by entered our names in the DHARANE PORTAL as wholly arbitrary, illegal and without jurisdiction and void and violated the principles of natural justice and affected the petitioners rights guaranteed under article 14, 19(1)(g) and 300(A) of the Constitution of India and consequently, direct the 3rd respondent herein to issue E-pass book and title deed in our favour with reference to the agricultural lands in an extent of Ac.1-04 gts in Sy.No.707, an extent of Ac.1-37 gts in Sy.No.743, an extent of Ac.5-37 gts in Sy.No.745(part) and an extent of Ac.5-39 cents in Sy.No.745 total an extent of Ac.14-37 guntas situated at Sidhanthi village of Shamshabad Mandal, Ranga Reddy District by incorporate the petitioners names in the DHARANI PORTAL.

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 3rd respondent herein to consider the application dt.26-09-2020 to issue E-pass book and title deed by incorporate the petitioners names in the revenue records ie., DHARANI Portal in respect of their agricultural dry lands in an extent of Ac.1-04 gts in Sy.No.707, an extent of Ac.1-37 gts in Sy.No.743, an extent of Ac.5-37 gts in Sy.No.745(part) and an extent of Ac.5-39 cents in Sy.No.745 total an extent of Ac.14-37 guntas situated at Sidhanthi Village of Shamshabad Mandal, Rangareddy District by incorporate our names in the entire revenue records ie., DHARANI Portal pending disposal of the writ petition.

Counsel for the Petitioner : SRI V. ESWARAI AH CHOWDARY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.21053 of 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India is filed by the petitioners, wherein, the following prayer is made:

"to issue a writ in the nature of a writ of mandamus or any other appropriate writ, direction, order or orders, declaring the action of the respondent No.3 herein in not issue the E-pass book and title deed, vide representation, dt.26-09-2020 in respect of the petitioners agricultural dry lands in an extent of Ac.1-04 gts in Sy.No.707, an extent of Ac.1-37 gts in Sy.No.743, an extent of Ac.5-37 gts in Sy.No.745 (part) and an extent of Ac.5-39 cents in Sy.No.745 total an extent of Ac.14-37 guntas situated at Sidhanthi village of Shamshabad Mandal, Ranga Reddy District, having acquired the same from inheritance from my husband late K.Stanely Reddy, who purchased the same under sale deeds dt.06-12-2005 and 17-12-2005 from its owners by entered our names in the DHARANI PORTAL as wholly arbitrary, illegal and without jurisdiction and void and violated the principles of natural justice and affected the petitioners rights guaranteed under article 14, 19(1)(g) and 300-A of the Constitution of India and consequently direct the 3rd respondent herein to issue E-pass book and title deed in our favour with reference to the agricultural lands in an extent of Ac.1-04 gts in Sy.No.707, an extent of Ac.1-37 gts in Sy.No.743, an extent of Ac.5-37 gts in Sy.No.745 (part) and an extent of Ac.5-39 cents in Sy.No.745 total an extent of Ac.14-37 guntas situated at Sidhanthi village of Shamshabad Mandal, Ranga Reddy District, by incorporate the petitioners names in the DHARANI PORTAL and pass such other order or orders..."

2. Heard both sides and perused the record.
3. The learned counsel for the petitioners would contend that the husband of the petitioner No.1 and father of petitioner Nos.2 and 3 by name K.Stanley Reddy, purchased agricultural lands admeasuring Ac.1-04 gts in Sy.No.743, Ac.1-37 gts in Sy.No.707, Ac.5-37 gts in Sy.No.745 (part) and Ac.5-39 cents in Sy.No.745, total admeasuring Ac.14-37 guntas, situated at Sidhanthi village of Shamshabad Mandal, Ranga Reddy District, under two simple sale deeds, dated 06.12.2005 and 17.12.2005, from his vendors. Thereafter, the said simple sale deeds were

validated by the authorities concerned. After the death of her husband on 22.06.2019, the petitioner No.1 submitted an application, dated 26.09.2020, to the 4th respondent/Tahsildar, Shamshabad Mandal, seeking mutation of her and her sons' name in the revenue records and for issuance of E-Pass Book in their favour in respect of the subject lands. Till date, no action has been taken on the said application by the authorities concerned and ultimately prayed to grant the relief as indicated above.

4. On the other hand, the learned Assistant Government Pleader for Revenue representing the respondents would contend that in view of enactment and coming into force of the new Telangana Rights in Land and Pattadar Pass Books Act, 2020, the petitioners are required to follow the procedure contemplated under the new Act for effecting changes, if any, in the revenue records.

5. As rightly contended by the learned Assistant Government Pleader for Revenue, in view of enactment and coming into force of the new Act, the petitioners are required to follow the procedure contemplated under the new Act for effecting changes, if any, in the revenue records. Under these circumstances, the petitioners are directed to comply the requirements under the new Act and submit on-line application(s) to the 4th respondent/Tahsildar, Shamshabad Mandal, seeking the relief sought in the application, dated 26.09.2020, within fifteen (15) days from today. On filing of

such on-line application(s), the 4th respondent/Tahsildar, Shamshabad Mandal, is directed to examine and dispose of the same in accordance with law, expeditiously.

6. With the above direction, this writ petition is disposed of.
No costs.

Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/- V.SUDHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, State of Telangana, Secretariat, Hyderabad
2. The District Collector, Rangareddy District
3. The Revenue Divisional Officer, Rajendranagar Division, Rangareddy District
4. The Tahsildhar, Shamshabad Mandal Mandal, Rangareddy District
5. One CC to Sri V. Eswaraiah Chowdary, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies

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HIGH COURT

DATED:03/12/2020



ORDER

WP.No.21053 of 2020

DISPOSING OF THE WP
WITHOUT COSTS

SSV
9 copies
Dt 14/12/2020