

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

**TUESDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 13203 OF 2022

Between:

Pirsingula Hanmanthu, S/o.Bapu, aged about 56 years,
Occ.Agriculture, R/o.Nambala Village, Rebbena Mandal, Kumarambheem
Asifabad District.

...PETITIONER

AND

1. The State of Telangana, Rep.by its Principal Secretary, Department of Revenue Telangana Secretariat at Hyderabad.
2. The District Collector, Komarimbheem Asifabad District.
3. The Revenue Divisional Officer, Asifabad Division, Asifabad, Komarimbheem Asifabad District.
4. The Tahsildar, Rebbena Mandal, Komarimbheem Asifabad 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 in the nature of Writ of MANDAMUS declaring the action of the respondents in not considering the petitioners online application dated 29/12/2021 vide LM 2100108160 for issuance of Occupancy Right Certificate pertaining to the land in an extent of Ac.0.20 guntas situated in Sy.No.68 of situated at Nambala Village, Rebbena Mandal, Komarimbheem Asifabad District as arbitrary, illegal, capricious and violative of provisions of ROR Act, and also violative of Article 300-A of the constitution of India and consequently direct the respondents to issue Occupancy Right Certificate (ORC) in favor of the petitioner in respect of above mentioned land forthwith.

IA NO: 1 OF 2022

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 respondents to consider the petitioners online application dated 29/12/2021 vide LM 2100108160 for issuance of Occupancy Right Certificate pertaining to the land in an extent of Ac.0.20 guntas situated in Sy.No.68 of situated at Nambala Village, Rebbena Mandal, Komarimbheem Asifabad District, pending disposal of the above writ petition in this Honorable Court.

Counsel for the Petitioner: SRI RAVI KUMAR VADLAKONDA

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.13203 of 2022

ORDER:

This writ petition is filed aggrieved by the action of respondent Nos.2 and 3 in not entertaining online application of the petitioner vide LM.No.2100108160, dated 29.12.2021 for issuance of Occupancy Right Certificate (O.R.C.) in respect of the land admeasuring Ac.0-20 guntas in Survey No.68 of Nambala Village, Rebbena Mandal, Komarimbheem Asifabad District.

Learned Assistant Government Pleader has taken a preliminary objection regarding maintainability of the writ petition. It is submitted that application of the petitioner was submitted through Dharani portal, which is meant only for redressal of grievances/claims under the Rights in Land and Pattadar Passbooks Act, 2020. The dispute herein is regarding issuance of O.R.C. and in respect of said claims, original authority is the Revenue Divisional Officer-third respondent. The petitioner is required to submit application in Form-II under the provisions of Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955 and Rules made thereunder.

Instead, the petitioner seems to have wrongly uploaded his application through Dharani portal. The Collector is not the proper authority. Hence, direction cannot be issued in this writ petition.

In view of the same, this writ petition is disposed of giving liberty to the petitioner to submit petition/application before the third respondent-Revenue Divisional officer under Form-II for issuance of O.R.C. On receipt of such application, the third respondent should conduct enquiry in accordance with the provisions of the Act and Rules made thereunder by issuing notice to all the concerned/interested persons and dispose of the same as expeditiously as possible.

As a sequel thereto, miscellaneous petitions, if any, pending in these writ petitions stand closed.

Sd/- B.SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, State of Telangana, Telangana Secretariat at Hyderabad.
 2. The District Collector, Komarimbheem Asifabad District.
 3. The Revenue Divisional Officer Asifabad Division, Asifabad, Komarimbheem Asifabad District.
 4. The Tahsildar, Rebbena Mandal, Komarimbheem Asifabad District.
 5. One CC to SRI RAVI KUMAR VADLAKONDA, Advocate [OPUC]
 6. Two CCs to the GP for Revenue, High Court for the State of Telangana. [OUT]
 7. Two C.D. Copies.
 8. One Spare Copy.
- MRC

Handwritten signature/initials

HIGH COURT

DATED:22/03/2022

ORDER

WP.No.13203 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

10
7/4/22
H/V