

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

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 17686 OF 2022

Between:

C. Anjalaiah @ V.Anjalaiah @ Alleppa, S/o. Pentaiah, Aged about 65 years,
Occ. Agriculture, R/o.Monimoksham Village, Hanwad and Mandal,
Mahabubnagar District, Telangana State.

...PETITIONER

AND

1. The State of Telangana, Rep.by its Principal Secretary, Revenue Department,
Secretariat Building, Secretariat, Hyderabad, State of Telangana.
2. The Revenue Divisional Officer, Mahabubnagar Division, Mahabubnagar
District, State of Telangana

...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 such appropriate writ or order or direction more particularly, in the nature of a Writ of Mandamus. a. Declaring the inaction of the Respondent no.2 herein in considering and disposing of the Application filed by the Petitioner on 02/11/2021 seeking for issuance of 38E certificate in respect of land admeasuring Ac-4.00gts in Sy No. 109 in Monimoksham Village, Hanwada Mandal, Mahabubnagar District, as being illegal, arbitrary, unjust and against the provisions of the Telangana Tenancy and Agricultural Lands Act, 1950 and

b. Consequently, direct the Respondent no.2 to consider and dispose of the application of the Petitioner dt. dt.02/11/2021.

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 Respondent no.2 to consider and dispose of the application of the Petitioner dt. dt.02/11/2021, pending disposal of the above Writ Petition by this Honourable Court and pass

Counsel for the Petitioner: M/S. LAP THE RURAL LAW FIRM

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.17686 of 2022

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for the respondents. With their consent, this writ petition is disposed of at the admission stage.

2. This writ petition is filed seeking a writ of mandamus to declare the action of respondent No.2 in not considering and disposing of the application filed by the petitioner dated 02.11.2021 for issuance of certificate under Section 38-E of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950 in respect of land admeasuring Acs.4.00 guntas in Survey No.109 of Monimoksham Village, Hanwada Mandal, Mahabubnagar District, as illegal and arbitrary, and for consequential direction to respondent No.2 to dispose of the application filed by the petitioner.

3. When the matter is taken up for consideration, learned counsel for the petitioner as well as learned Assistant Government Pleader for Revenue conceded that respondent No.2 is under statutory obligation to consider and dispose of the

application filed by the petitioner for issuance of certificate under Section 38-E of the Act.

4. Inasmuch as the application was submitted by the petitioner as early as on 02.11.2021 and so far, respondent No.2 has not taken any action on the said application, this writ petition is disposed of directing respondent No.2 to consider the application dated 02.11.2021 submitted by the petitioner for issuance of certificate under Section 38-E of the Act in respect of land admeasuring Acs.4.00 in Survey No.109 of Monimoksham Village, Hanwada Mandal, Mahabubnagar District, within a period of two months from the date of receipt of a copy of this order by assigning due reasons in support of the said decision and communicate the same to the petitioner. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR
 SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Revenue Department, State of Telangana Secretariat Building, Secretariat, Hyderabad, State of Telangana.
2. The Revenue Divisional Officer, Mahabubnagar Division, Mahabubnagar District, State of Telangana
3. One CC to M/S LAP THE RURAL LAW FIRM Advocate [OPUC]
4. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies.
6. One spare copy.

NPJ

NPJ



HIGH COURT

DATED:08/04/2022



ORDER

WP.No.17686 of 2022

DISPOSING OF THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS.

⑧ 123
6/5/22