

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

**MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 17854 OF 2022

Between:

B. Sreedhar Reddy, S/o. B. Krishna Reddy, aged about 49 years,
Occ Agriculture, R/o. H. No. 1-33, Nallavelli Village, Nagarkurnool Mandal and
District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool.
3. The Thasildar, Nagarkurnool Mandal, Nagarkurnool 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 order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in passing single line order rejecting the online Form-V application submitted by the petitioner for seeking implementation of the registered Gift Deed document No. 6314/2016, dated 16-05-2016 in respect of the land in Sy. No. 291, admeasuring Ac.1-04 guntas situated at Nallavelli Village, Nagarkurnool Mandal and District though the petitioner is entitled to implement his name in the ROR as pattadar in respect of the said land, as illegal, unlawful, contrary to law and consequently direct the 2nd respondent to reconsider the online application by passing the reasoned order by duly considering all the documents uploaded by the petitioner along with online application for implementation of the registered Gift Deed in the ROR.

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 issue interim order directing the 2nd respondent to reconsider the online application dated 25-11-2021 as submitted by the petitioner vide application No. RC2100009388 based upon all the documents uploaded by the petitioner and pass fresh reasoned order by duly considering the request of the petitioner for implementation of registered Gift Deed document No. 6314/2016, dated 16-05-2016 in respect of the land in Sy. No. 291, admeasuring Ac.1-04 guntas situated at Nallavelli Village, Nagarkurnool Mandal and District in the revenue records, pending disposal of main Writ Petition.

Counsel for the Petitioner : SRI. M DAMODAR REDDY

Counsel for the Respondents : GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR
WRIT PETITION No.17854 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. The main grievance of the petitioner in this writ petition is that the petitioner having acquired the land admeasuring Ac.01-04 guntas situated in Survey No.291 of Nallavelli Village, Nagarkurnool Mandal and District under a registered Gift Deed dated 16.05.2016 vide document No.6314 of 2016 made an application on online in Form-V along with all supporting documents for mutation of his name in the place of name of his father. The said application of the petitioner for mutation and for issuance of pattedar pass book is rejected by the Respondent No.2 by passing a cryptic order saying "Court cases is rejected by Collector". Aggrieved by the said unreasoned and arbitrary rejection by the Respondent No.2 the present Writ Petition is filed.

3. The rejection order passed by the District Collector on the face of it is an unreasoned order and does not show the application

of mind. The Respondent No.2 while considering the request of the petitioner which is supported by several documents failed to assign any reasons. As the impugned rejection order is cryptic in nature the same is wholly unsustainable and the same is liable to be set aside.

4. Accordingly, this Writ Petition is allowed and the impugned rejection order dated 13.03.2022 passed by the Respondent No.2 is set aside and the matter is remitted back to the Respondent No.2 for considering the request of the petitioner afresh for mutation and for issuance of pattedar pass book in respect of land admeasuring Ac.01-04 guntas situated in Survey No.291 of Nallavelli Village, Nagarkurnool Mandal & District and for passing appropriate orders duly assigning the reasons for passing such order and to communicate the same to the petitioner. The above exercise shall be completed by the Respondent No.2 within a period of eight (08) weeks from the date of receipt of copy of this order.

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

//TRUE COPY//

SD/- K.SRINIVASA RAO
JOINT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, State of Telangana, Hyderabad.
2. The District Collector, Nagarkurnool District, Nagarkurnool.
3. The Thasildar, Nagarkurnool Mandal, Nagarkurnool District.
4. One CC to SRI. M DAMODAR REDDY, Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies
7. One Spare Copy

HIGH COURT

DATED : 11/04/2022



ORDER

WP.No.17854 of 2022

ALLOWING THE WRIT PETITION
WITHOUT COSTS

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[Signature]
27/05/2022