

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITIONS No. 8742 of 2009, 2842 of 2019 and 25140 of 2022

COMMON ORDER:

Writ Petition No. 8742 of 2009 is filed seeking the following relief:

“ to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus directing the respondents to record petitioner name in revenue records as per rules without any delay pertaining to the land an extent of 1.36 acres in Survey No. 270 in Nizampet Village of Qutbullapur Mandal, as per assignment patta vide No. B6/6497/78, dt. 16.9.79, and declaring their inaction is being illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and pass such other further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. It is the case of the petitioner that an extent of Ac.1.36 guntas in Survey No. 270 in Nizampet Village was assigned in favour of the petitioner by proceedings dated 16.09.1979 and the petitioner and her family is in possession of the property from thereon. It is submitted that when the petitioner has approached the respondents for mutation of her name on 02.08.2022, the same was acknowledged and the Collector asked clarification whether the name of the petitioner got recorded or not in the revenue records. It is submitted that the petitioner has made another representation dated

02.08.2022 that she has submitted the original patta and when no action has been initiated by the respondents, the petitioner has come up before this Court.

3. This Court by order dated 29.04.2009, had directed to maintain *status quo* obtaining as on that day. Learned Senior Counsel submits that thereafter, the petitioner's son filed Writ Petition No. 2842 of 2019 questioning the proceedings dated 04.07.2018 issued by the 2nd respondent by allotting the petitioner's land in Survey No. 270 admeasuring Ac.1.36 guntas situated at Nizampet Village for the purpose of development of park ignoring the interim orders passed by this Court in Writ Petition No. 8742 of 2009. It is submitted that this Court in the light of the earlier orders passed in the other Writ Petition, by proceedings dated 15.02.2019 had granted interim direction as prayed for. It is submitted that thereafter, the petitioner in Writ Petition No. 2842 of 2019 has come up with Writ Petition No. 25140 of 2022, wherein the petitioner has sought the relief not to dispossess him from the subject land in the guise of development of park ignoring the interim orders of this Court.

4. This Court in Writ Petition No. 25140 of 2022 *vide* order dated 10.06.2022 has granted the order of *status quo* to be maintained in all respects. It is submitted that

the petitioner is in occupation of the property and now, contrary to the orders passed by this Court in Writ Petitions No. 25140 of 2022 and 2842 of 2019, the respondents are trying to dispossess the petitioner.

5. Today, when the Writ Petitions came up for hearing, Sri P. Venugopal, learned Senior Counsel appearing on behalf of Sri Ramana Allu, learned counsel for the petitioner in Writ petition No. 25140 of 2022 submits that patta has been granted in favour of the petitioner which has been disputed by the learned Government Pleader for Revenue stating that they have not granted patta to the petitioner and there are no such records and in fact, in the year 2008 itself, they have assigned land in favour of A.P. Rajiv Swagruha Corporation Limited and interim order was obtained in 2009. Learned Government Pleader submits that the petitioner could not submit original patta before this Court or before the respondent officials. Then learned Senior Counsel has drawn attention of this Court to the proceedings dated 02.08.2002 which was addressed to the Mandal Revenue Officer, Ranga Reddy District and submits that along with this copy, the petitioner has submitted the original patta to the respondents and the same is lying with them. If the

entire record is produced before this Court, the true facts will come into light.

6. This Court has observed that in the earlier round of litigation, i.e. Writ Petition No. 8742 of 2009, the petitioner at page 13 of the said Writ Petition as material paper had filed the very proceedings dated 02.08.2002 wherein it is mentioned that she is submitting this copy along with the application. When it comes to Writ Petition No. 25140 of 2022, there is interpolation and also there is a correction made wherein it is written as “I am submitting this copy along with original patta”. In Writ Petition No. 8742 of 2009, it is written as “I submitting this copy along with Application”. It clearly shows that the petitioner has not come to the Court with clean hands and also with an intention to obtain orders from this Court has filed the document dated 02.08.2002 by adding the word ‘original patta’ to show that original patta is with the respondents. A bare perusal of the material papers, it is very much visible to a naked eye. On a query from the Court, learned counsel for the petitioner also does not dispute the fact that in both the writ petitions two different versions of the same document were filed.

7. Though this Court initially intend to initiate perjury proceedings against the petitioner, taking into consideration the

request made by the learned counsel for the petitioners, each Writ Petition is dismissed with costs of Rs.10,000/- (Rupees ten thousand only) to be payable to the Telangana State Legal Services Authority, within fifteen days. There shall be no order as to costs.

8. The miscellaneous Applications, if any shall stand closed.

17th October 2022

LALITHA KANNEGANTI, J

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