

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

**FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 26789 OF 2022

Between:

MattedaMogili, S/o. Komuraiah, Aged 62 years, Occ: Agriculture, R/o.Komatipally Village, HasanparthyMandal, Warangal Urban District.

...PETITIONER

AND

1. State of Telangana, Rep. by its Pri.Secretary to Government, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Warangal Urban district, Warangal.
3. The Tahsildar, HasanparthyMandal, Warangal Urban 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 of Mandamus or any other appropriate writ, order or direction, declaring the action of the respondents in not taking steps to enter petitioner name in Dharani portal as owner and possessor of the agricultural land to an extent of Ac.0.32 gts in Sy.No564/A/1 of Bheemaram village, Hasanaparthi Mandal, Warangal district and not issuing digital passbook in respect of the said property as illegal and arbitrary and for a consequential direction to the respondents to enter petitioner's name in Dharani portal as owner and possessor of the agricultural land to an extent of Ac.0.32 gts in Sy.No.564/A/1 of Bheemaram village, Hasanaparthi Mandal, Warangal District and to issue digital passbook in respect of the said property.

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 take action on the legal notice dated 4/6/2021 sent on petitioner behalf, followed by representation dated 26/6/2021 made to the respondents enter petitioner's name in Dharani portal as owner and possessor of the agricultural land to an extent of Ac.0.32 gts in Sy.No.564/A/1 of Bheemaram village, Hasanaparthi Mandal, Warangal district and to issue digital passbook in respect of the said landed property in favour of petitioner pending disposal of the Writ Petition.

Counsel for the Petitioner : SRI SUJATHA KURAPATI

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following : ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.26789 of 2022

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the respondents in not taking steps to enter petitioner's name in Dharani portal as owner and possessor of the agricultural land to an extent of Ac.0-32 guntas in Survey No.564/A/1, situated in Bheemaram Village, Hasanaparthi Mandal, Warangal District and not issuing digital passbook in respect of the aforesaid property, as arbitrary, illegal.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for the respondents.

3. It is the case of the petitioner that he is the absolute owner and possessor of aforesaid land having acquired the same through registered sale deed, dated 25.06.2003 *vide* Document bearing No.1258/2003. His name was mutated in the revenue records and he was also issued old pattadar passbook *vide* patta No.242 in respect of the subject land together with certain other extent of lands. In respect of the subject land, there was a

claim made by third parties and they filed O.S.No.689 of 2011 on the file of Court of Principal Junior Civil Judge, Warangal, against the petitioner herein and another in respect of the very same land. The petitioner herein filed counter claim in the very same suit claiming injunction against the said third parties. The said O.S.No.689 of 2011 filed by third parties was dismissed and counter claim of the petitioner herein was decreed by judgment and decree, dated 03.08.2007. Thereafter, Dharani portal system is introduced in the State and thereby entire revenue records are updated on Dharani portal in terms of the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 2020. But, for the reasons best known, the subject land admeasuring Ac.0-32 guntas situated in Survey No.564/A/1 is not updated on Dharani portal. Under those circumstances, the petitioner claims to have got issued a legal notice, dated 04.06.2021, to respondent No.3 herein. But, respondent No.3 failed to take any action on the said legal notice.

4. Learned Assistant Government Pleader for Revenue submitted that after introduction of Dharani portal, it is only the District Collector, who is competent to make any change or order for updation of entries on Dharani portal and Tahsildar,

respondent No.3 is not competent to do the same. It is further submitted that in case petitioner makes any application on online Dharani portal requesting for redressal of his grievance, the same would be considered by the respondents, in accordance with law.

5. Taking into consideration the submissions made on either side and also the fact that the name of the petitioner was appearing in the revenue records prior to introduction of Dharani portal, this Writ Petition is disposed of permitting the petitioner to make an online application on Dharani portal under appropriate module seeking updation of the subject land admeasuring Ac.0-32 guntas, situated in Survey No.564/A/1 of Bheemaram Village, Hasanaparthi Mandal, Warangal District, within a period of three (3) weeks from today and on submission of such application by the petitioner, respondent No.2 is directed to consider the same, in accordance with law, and pass appropriate orders, within a period of eight (8) weeks from the date of submission of such application by the petitioner. It is needless to observe that while considering the application of the petitioner, respondent No.2 shall put all the persons interested on notice and then pass orders, as directed above.

Miscellaneous petitions, pending if any, shall stand closed. There shall be no order as to costs.

SD/-I.NAGALAKSHMI
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Prl. Secretary to Government, State of Telangana, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Warangal Urban district, Warangal.
3. The Tahsildar, HasanparthyMandal, Warangal Urban district.
4. One CC to SRI SUJATHA KURAPATI, Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana [OUT]
6. Two CD Copies
7. One Spare Copy

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HIGH COURT

DATED:24/06/2022

ORDER

WP.No.26789 of 2022



THIS WRIT PETITION IS DISPOSED OF.

9 Copies

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