

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

MONDAY, THE EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 30354 OF 2022

Between:

1. Katam Surender, S/o. Katam Chinna Yellaiah, Aged about 45 years, Occ : Advocate, R/o. Cherial Village and Mandal, Siddipet District, PIN - 506223.
2. Katam Balaiah, S/o. Katam Ramaiah, Aged about 60 years, Occ : Agriculture, R/o. Cherial Village and Mandal, Siddipet District, PIN - 506223.
3. Badugu Vijaya, W/o. Anjaiah, Aged about 50 years, Occ : Housewife, R/o. Cherial Village and Mandal, Siddipet District, PIN - 506223.

...PETITIONERS

AND

1. State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Siddipet District.
3. The Revenue Divisional Officer, Siddipet Revenue Division, Siddipet District.
4. The Tahsildar, Cherial Mandal, Siddipet District.
5. Katam Bala Narsaiah, S/o. Katam Raghupathi, Aged about 65 years, Occ : Retd. Employee, R/o. 24-7/4, Shivaji Nagar, Cherial Village and Mandal, Siddipet District, PIN - 506223.

...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, order, orders or direction more particularly one in the nature of WRIT OF MANDAMUS to declare the action of the official respondents in not taking steps to delete the house plots of the petitioners from the holding of the 5th respondent in Sy.No.933/A/2/1 to an extent of 400 sq.yards, 275 sq.yards and 135 sq.yards situated at Cherial Village and Mandal, Siddipet District, from Dharani Portal, as illegal, arbitrary, null and void and consequently to direct the official respondents to delete the house plots area from the holding of the 5th respondents in Dharani Portal.

I.A.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 4th respondent to act upon the report submitted by the Mandal Revenue Inspector, dated 07.07.2022, to delete the house plots area of the petitioners from the holding of the 5th respondent from Dharani Portal, pending finalization of the writ petition.

Counsel for the Petitioners : SRI.J.KANAKAIAH
Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE
Counsel for the Respondent No.5 : NONE APPEARED
The Court made the following ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.30354 of 2022

ORDER:

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

2. It is contended by the learned counsel for the petitioners that father of the 1st petitioner purchased an extent of 400 square yards of land under simple sale deed by paying total sale consideration as early as in the year 1955 and he was in possession during his life time and also constructed a cattle shed together with compound wall in the total extent of 400 square yards. After the demise of father of the 1st petitioner, the 1st petitioner has succeeded to the same and has been in possession and enjoyment of the same. Similarly, 2nd petitioner claims to have purchased an extent of 275 square yards of land from the original pattadar viz., Pambala @ Katam Agalah in the year 1959 in the very same survey number i.e., survey No.933 and father of the 3rd petitioner also claims to have purchased an

extent of 135 square yards in the year 1960 out of the very same survey number. The 3rd petitioner has succeeded to the same and he has been in possession of the same.

3. According to the learned counsel for the petitioners, the petitioners are in peaceful possession and enjoyment for the past several years. However, after introduction of Dharani Portal, the Revenue Authorities without verifying physical possession of subject land, updated the name of the 5th respondent in respect of the land in survey No.933 including the land which is in possession and enjoyment of the petitioners herein.

4. It is the grievance of the petitioners that taking advantage of erroneous entries on online Dharani Portal, the 5th respondent is interfering with the possession and enjoyment of the petitioners over the subject plots, thereby creating problem to the petitioners. Under those circumstances, the petitioners herein claims to have submitted a representation dated 25.06.2022 to respondent No.4 herein and another representation dated 30.06.2022 to the 2nd respondent herein requesting for deleting the said house sites from the holding of the 5th respondent as the said extent of land was converted into non agricultural purpose long back.

5. It is also contended by the learned counsel for the petitioners that having considered the representation dated 25.06.2022, the 4th respondent herein has called for a report from the Mandal Girdawar. In response to the same, the Mandal Girdawar has submitted a report to the 4th respondent, but inspite of submission of a report to the 4th respondent, he has not taken any action in the matter. Hence, learned counsel for the petitioners prays for passing appropriate orders directing the 4th respondent to consider the representation dated 25.06.2022 submitted by the petitioners by duly taking into consideration the report submitted by the Mandal Girdawar.

6. Though sufficient time has been granted for getting instructions in the matter, no instructions are placed before this Court by the learned Assistant Government Pleader for Revenue. Learned counsel for petitioners also requested for appropriate orders directing consideration of the representation submitted by the petitioner instead of keeping the matter pending before this Court.

7. Taking into consideration, the facts and circumstances of the case, the writ petition is disposed of directing the 4th respondent to consider the representation dated 25.06.2022 submitted by the petitioners by duly taking into consideration

the report submitted by the Mandal Girdawar and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. It is further directed that the 4th respondent while considering the representation of the petitioners shall put the 5th respondent on notice and afford him reasonable opportunity of hearing and then pass orders, as directed above.

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

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Siddipet District.
3. The Revenue Divisional Officer, Siddipet Revenue Division, Siddipet District.
4. The Tahsildar, Cherial Mandal, Siddipet District.
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI.J.KANAKAIAH, Advocate [OPUC]
7. Two CD Copies
8. One spare copy

S.A

Handwritten signature/initials

HIGH COURT

DATED:08/08/2022

ORDER

WP.No.30354 of 2022



DISPOSING OF THE W.P
WITHOUT COSTS.

10
20/8/22
HVL