

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

THURSDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION NO: 31541 OF 2022

Between:

Routhu Amarendor, S/o Bhagawandlu, Aged about 36 Years, Occ. Private Employee, R/o Shanthi Nagar, Adilabad Locality, Adilabad District.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Adilabad District.
3. The Revenue Divisional Officer, Adilabad, Adilabad District.
4. The Tahsildar, Adilabad Urban Mandal, Adilabad 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 appropriate writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent No.4 in not issuing pattadar pass books and title deeds by mutating the name of petitioner in revenue records in respect of agriculture land in Sy.No. 68/60, Admeasuring Ac. 1-00 gts, situated at Khanapur Shivar, Adilabad Urban Mandal, Adilabad District, inspite of written representation dated 22-04-2022 as being illegal, arbitrary and unjust and consequently direct the respondent No.4 to issue pattadar pass books and title deeds in favour of the petitioner by mutating his name in the revenue records in respect of the aforesaid lands.

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.4 herein forthwith consider written representation dated 22-04-2022 and issue pattadar pass books and title deeds in favour of the petitioner by mutating his name in the revenue records in respect of agriculture land in Sy.No. 68/60, Admeasuring Ac. 1-00 gts, situated at Khanapur Shivar, Adilabad Urban Mandal, Adilabad District, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI GAJANAND CHAKRAVARTHI

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.31541 of 2022

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

2. It is the case of the petitioner that he is the absolute owner and possessor of the land admeasuring Ac.1.00 guntas in Survey No.68/60 situated at Khanapur Shivar, Adilabad Urban Mandal, Adilabad District, and he was also issued old pattadar pass book with Patta No.98. However, after introduction of Dharani Portal, the subject land is not updated on Dharani Portal and he was not issued new pattadar pass book.

3. According to the learned counsel for the petitioner, the subject land is not updated on the premise that the same is Wakf property situated in Khanapur Village. But the dispute with regard to the nature of land has already come up for consideration before the respondent - authorities and they have also clarified that in Khanapur Village of Adilabad District, there is no Wakf property and the Wakf property being referred to is situated in Khanapur Village of Nirmal District and to that effect a report was also submitted by respondent No.4 to respondent No.2 explaining the factual aspects and requesting for removal

of Survey No.68, Khanapur Village, Adilabad Urban Mandal, Adilabad District, from the list of prohibitory properties of Wakf property. This request was made through letter vide No.B/39/2019 dated 04.06.2021. In spite of the same, the land belonging to the petitioner is not updated on Dharani Portal and new pattadar pass book is not issued as on date.

4. Learned Assistant Government Pleader, on instructions, also submitted that through the letter, dated 04.06.2021, respondent No.4 has already requested to delete the subject land from the Wakf properties, but the consequential action is yet to be taken.

5. Taking into consideration, the submissions made on either side, especially the letter of respondent No.4 in No.B/39/2019, dated 04.06.2021, this Court does not find any reason for withholding the updation of the subject land belonging to the petitioner on online Dharani Portal and for issuance of new pattadar pass book. In view of the same, this Writ Petition is disposed of directing the respondent No.2 to 4 to forthwith take steps for considering the representation, dated 18.04.2022, submitted by the petitioner for updating the land admeasuring Ac.1.00 guntas in Survey No.68/60, situated at Khanapur Shivar, Adilabad Urban Mandal, Adilabad District, on

Dharani Portal and for consequential issuance of new pattadar pass book in the name of the petitioner without reference to the alleged objection of treating the subject property as Wakf property by duly taking into consideration the letter No.B/39/2019, dated 04.06.2021, and pass appropriate orders within a period of four (4) weeks from the date of receipt of a copy of this order.

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

SD/-T.KRISHNA KUMAR
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Adilabad District.
3. The Revenue Divisional Officer, Adilabad, Adilabad District.
4. The Tahsildar, Adilabad Urban Mandal, Adilabad District.
5. One CC to SRI GAJANAND CHAKRAVARTHI Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies.
8. One Spare Copy.

NPJ

SW

HIGH COURT

DATED:04/08/2022



ORDER

WP.No.31541 of 2022

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

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18/8/22