

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: 31623 OF 2022

Between:

M.Murali Mohan, S/o. Venkataiah, Aged 51 years, Occ. Business, R/o. H.No.
19-20, Gouda Street, Parkal Village and Mandal, Hanamkonda District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Hanamkonda District, Hanamkonda.
3. The Tahsildar, Dharmasagar Mandal, Hanamkonda 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 or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not making correction in respect of land in Sy.No. 353/D6/E admeasuring Ac. 1.15gts situated at Unicherla Village, Dharmasagar mandal, Hanamkonda District as Sy.No. 353/D5/E admeasuring Ac.1.15gts in Revenue Records and E-Passbook No. T21020050532 vide Katha No. 832 in pursuance of representation dt. 30-06-2022 as illegal, arbitrary, contrary to the provisions of Telangana Records of Rights Act 2020 and consequently direct the respondent to consider the representation dt. 30-06-2022 made by the petitioner and carry out necessary correction of Sy.No. 353/D6/E admeasuring Ac. 1.15gts situated at Unicherla Village, Dharmasagar Mandal, Hanamkonda District in Revenue Records and E-passbook No. T21020050532 vide Khata No. 832 of the petitioner as Sy.No. 353/D5/E admeasuring Ac. 1.15gts situated at Unicherla Village, Dharmasagar Mandal, Hanamkonda District.

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 to consider the representation dt. 30-06-2022 made by the petitioner and carry out necessary correction of Sy.No. 353/C6,E admeasuring Ac. 1.15gts situated at Unicherla Village, Dharmasagar Mandal, Hanamkonda District in Revenue Records and E-passbook No. T21020050532 vide Khata No. 832 of the petitioner as Sy.No. 353/D5/E admeasuring Ac. 1.15gts situated at Unicherla Village, Dharmasagar Mandal, Hanamkonda District, pending disposal of the above Writ Petition.

Counsel for the Petitioner: SRI. J VENKATESWARA 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.31623 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 making correction in respect of the land in Survey No.353/D6/E admeasuring Ac.1-15 guntas, situated at Unicherla Village, Dharasagar Mandal, Hanamkonda District, as Survey No.353/D5/E admeasuring Ac.1-15 guntas in the revenue records and E-passbook No.T21020050532 *vide* khata No.832 in pursuance of representation, dated 30.06.2022, as arbitrary and illegal.

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

3. The grievance of the petitioner in this writ petition is non-consideration of representation, dated 30.06.2022, submitted by the petitioner for correcting the survey number, which was wrongly entered in the revenue records, in respect of land admeasuring Ac.1-15 guntas owned by the petitioner as Survey No.353/D6/E instead of "Survey No.353/D5/E."

4. Learned counsel for the petitioner submitted that the petitioner is the absolute owner and possessor of land to an extent of Ac.1-15 guntas in Survey No.353/D5/E of Unicherla Village,

Dharasagar Mandal, Hanamkonda. But the said survey number is erroneously entered in the name of the petitioner as 353/D5/E. Having noticed the same, the petitioner claims to have submitted a detailed representation, dated 30.06.2022 requesting for correction of the said wrong entry made in the revenue records. However, even after lapse of considerable time, the said representation is still pending consideration before the respondents and no action has been initiated by the respondents. Hence, learned counsel for the petitioner prays for passing appropriate orders directing respondent No.3 to consider the said representation, dated 30.06.2022.

5. On the other hand, learned Assistant Government Pleader for Revenue submitted that after introduction of Dharani portal, it is only online application that would be considered by the respondents but not the manual representations submitted. He further submitted that it is only respondent No.2, who is competent to consider all such requests and respondent No.3 herein is not the competent authority.

6. In the circumstances and having considered the submissions made on either side, this Court is of the view that the writ petition can be disposed of at the admission stage and accordingly, the Writ Petition is disposed of by permitting the petitioner to submit an online application on Dharani portal

under appropriate module seeking correction of the survey number in respect of land owned by the petitioner to an extent of Ac.1-15 guntas in Survey No.353/D5/E, within a period of two (2) weeks from the date of receipt of a copy of this order and on submitting such application, respondent No.2 shall consider the same together the representation, dated 30.06.2022, submitted by the petitioner and pass appropriate orders thereon, by duly affording an opportunity of hearing to the petitioner and pass appropriate orders thereon, within a period of two (2) months from the date receipt of the said application.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. No costs.

//TRUE COPY//

**SD/-G.SIREESHA
ASSISTANT REGISTRAR**

6/10/22
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, Hyderabad, TS.
2. The District Collector, Hanamkonda District, Hanamkonda, TS.
3. The Tahsildar, Dharmasagar Mandal, Hanamkonda District, TS.
4. One CC to SRI. J VENKATESWARA 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

SDR

BS

HIGH COURT

MSKJ

DATED: 04/08/2022



ORDER

WP.No.31623 of 2022

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

⑨ vlv
28/9/22