

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.31753 of 2022

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for respondent Nos.2 and 3. The writ petition is disposed of at the stage of admission.

2. The short grievance of the petitioner in this writ petition is non-consideration of the application submitted by the petitioner Section 38-A of the Telangana State Tenancy and Agricultural Lands Act, 1950 (for short, 'the Act, 1950') in respect of land admeasuring Acs.13.16 guntas in Survey No.38/1 situated at Yerravalli Thanda, Mahabubnagar Mandal and District. It is contended by learned counsel for the petitioner that the ancestors of the petitioner are the protected tenants in respect of the subject land and the petitioner herein being the successor and having interest entered into a deed of relinquishment, dated 25.10.2019, with respondent No.1, who is the original owner of the subject land, and respondent No.1 also agreed to relinquish the rights in favour of the petitioner. Thereafter, the petitioner claims to have approached

respondent No.2 by submitting an application, dated 19.08.2020, under Section 38-A of the Act, 1950 requesting for transferring the ownership rights in respect of the land admeasuring Acs.3.05 guntas in favour of the petitioner. However, even after lapse of nearly two years, the respondents failed to take action on the said application. Hence, learned counsel for the petitioner prays this Court to direct respondent No.2, who is the competent authority under Section 38-A of the Act, 1950, to process the application submitted by the petitioner and to pass appropriate orders in accordance with law.

3. A perusal of the material on record shows that the petitioner has already submitted an application under Section 38-A of the Act, 1950 as early as on 19.08.2020 and the same was also acknowledged by the office of respondent No.2. However, as contended by learned counsel for the petitioner, the said application is still pending consideration before respondent No.2.

4. In these circumstances, without going into the merits of the case, the writ petition is disposed of directing respondent No.2 to take up the application, dated 19.08.2020, submitted

by the petitioner under Section 38-A of the Act, 1950 in respect of land admeasuring Acs.3.05 guntas in Survey No.38/1 of Yerravalli Thanda, Mahabubnagar Mandal and District, and pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of the order by strictly putting all the parties interested on notice including respondent No.1 herein.

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

MUMMINENI SUDHEER KUMAR, J

Date:08.08.2022

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