

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

WRIT PETITION No.35413 of 2022

ORDER:

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

2. The petitioner claims to have succeeded to land to an extent of Acs.35.24 guntas in Survey Nos.426 and 428 of Jangaon Town and Mandal, Jangaon District, from his ancestors. The petitioner claims to have filed an application before respondent No.4 in the year 2020 requesting to delete the erroneous entries made in the revenue records in respect of the subject land and to mutate his name in the revenue records. The respondent No.4, having considered the said request of the petitioner, appears to have initiated proceedings and issued notices to the unofficial respondents, but he has not taken any further steps thereafter. Hence, the petitioner claimed to have approached the respondent No.4 requesting for passing appropriate orders on the request made by him. The respondent No.4, in response to the said request of the petitioner, issued proceedings in Lr.No.B/65/2020, dated 02.08.2022, informing the petitioner that the proceedings were initiated initially under

the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act, 1971') and the said Act came to be repealed by another Act, namely, the Telangana Rights in Land and Pattadar Passbooks Act, 2020 (for short, 'the Act, 2020') w.e.f. 29.10.2020 and hence, the Tahsildar has become incompetent to continue the said proceedings. Aggrieved by the same, the petitioner approached this Court by filing the present writ petition.

3. No doubt, the Act, 1971 is repealed w.e.f. 29.10.2020, whereby the Tahsildar – respondent No.4 is disentitled to conduct any enquiry and the role of respondent No.4 is very limited in terms of Sections 5, 6 and 7 of the Act, 2020. However, in furtherance of the Act, 2020, the Chief Commissioner of Land Administration issued Circular No.1 of 2021, dated 15.01.2021, making the District Collector responsible to deal with the matters of mutation, updation and rectification of entries etc., in the revenue records by virtue of the Circular, referred to above.

4. In the light of the above, it is the District Collector is now competent authority by virtue of the said Circular to consider the request of the petitioner, to deal with the matter.

5. In view of the same, the writ petition is disposed of directing the Tahsildar – respondent No.4 to transmit the entire record pertaining to Lr.No.B/65/2020 to the District Collector, Jangaon District, within a period of three weeks from the date of receipt of a copy of this order and the District Collector, Jangaon District, is directed to process the said file for considering the request of the petitioner for mutation and rectification of the entries by duly putting all the persons interested on notice including the unofficial respondent Nos.5 to 19 and affording an opportunity of personal hearing to them and pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the case.

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

MUMMINENI SUDHEER KUMAR, J

Date:13.09.2022

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