

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY TWO
PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN
WRIT PETITION NO: 46690 OF 2022

Between:

SHAIK KHAJA MIYA, S/o Shaik Khudubuddin, Occ . Govt. Employee R/o Suryapet
Town and District

...PETITIONER(S)

AND

1. The State of Telangana, Rep. by its Prl. Secretary to Govt. Secretariat, Hyderabad Revenue Department
2. The District Collector, Nalgonda District Collector's Office, at Nalgonda
3. The Revenue Divisional Officer, Nalgonda Division, At Nalgonda
4. The Tahsildar, Shaligowraram Mandal Nalgonda 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 MANODAMUS by declaring the impugned action of respondent No.2 herein in rejecting the petitioner's application to include his caste at column No.5 in the Pattedar pass book and also rejecting to include the land totally admeasuring Ac.3.11 gts., in Sy.No.796/A, 796/AA and 796/EE, situated at Chittaluru village, Shaligowraram Mandal, Nalgonda District in the pattedar pass book as arbitrary, illegal, void abinitio besides violative of Art. 21 and 300-A of Constitution of India and violative of principles of natural justice and consequently direct the 2'd respondent to consider the application of the petitioner to include the land totally admeasuring Ac.3.11 gts., in Sy.Nos.796/A, 796/AA and 796/EE, situated at Chittaluru village, Shaligowraram Mandal, Nalgonda District in the pattedar pass book and also include the petitioner's caste i.e., BC-E in the pattedar pass book (DIGITAL)

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 2nd respondent to consider the application of the petitioner to include the land totally admeasuring Ac.3.11 gts., in Sy.No.796/A, Ac.1-09 gts., Sy. No.796/AA Ac.0.16 gts., and Sy. No.796/EE, Ac.1.26 gts., situated at Chittaluru village, Shaligowraram Mandal,

Nalgonda District in the pattedar pass book and also include the petitioner's caste i.e., BC-E in the pattedar pass book (DIGITAL);

Counsel for the Petitioner(s): SRI. J ASHVINI KUMAR

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.46690 of 2022

ORDER:

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

2. The petitioner herein is claiming that he is absolute owner and possessor of land admeasuring Ac.3-10 gts in Sy.No.801/31, Ac.0-23 gts in Sy.No.802/31, Ac.2-15 gts in Sy.No.803/1, Ac.1-09 gts in Sy.No.796/A, Ac.0-16 gts in Sy.No.796/AA, Ac.1-26 gts in Sy.No.796/EE, situated at Chittaluru Village, Shaligowraram Mandal, Nalgonda District. In proof of the same, he has filed copy of old Pattadar passbook. In the latest Pattadar passbook, land admeasuring Ac.3-1000 in Sy.No.801/31 and Ac.0-2300 gts in Sy.No.802/31 is mentioned and other extents are missing. Therefore, he had submitted online application vide ID No.26T124400003218 dated 09.05.2022 with the 2nd respondent with a request to correct the aforesaid

wrong entries. The said online application was rejected by the 2nd respondent with one word i.e., "Rejected". The 2nd respondent did not assign any reasons and it is not a reasoned order. Any order passed by the 2nd respondent without reasons is an order without application of mind and it is nullity. The rejection order is liable to be set aside.

3. Sri J.Ashvini Kumar, learned counsel for the petitioner would submit that petitioner belongs to BC-E, his caste name is not mentioned in the Pattadar passbook. Therefore, respondent No.2 is not issuing digital Passbook. In proof of the same, he has filed copy of Community and Date of Birth Certificate dated 11.09.2020 issued by respondent No.4. Therefore, respondent No.2 did not consider the same.

4. In view of the aforesaid discussion, without going into merits and demerits of the case, this Writ Petition is disposed of, setting aside the rejection order. Matter is remanded back to the 2nd respondent with a

direction to consider the aforesaid online application submitted by the petitioner afresh and pass appropriate orders in accordance with law by putting the petitioner and all affected parties on notice and affording them an opportunity of hearing. If, the 2nd respondent is not inclined to accept the request made by the petitioner, he shall assign specific reasons, pass a reasoned order, communicate copy of the said order to the petitioner and complete the said exercise within a period of eight (08) weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

//TRUE COPY//

SD/-N.SRIHARI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Prl. Secretary to Govt. Secretariat, Hyderabad Revenue Department, State of Telangana, Hyderabad.
2. The District Collector, Nalgonda District Collector's Office, at Nalgonda
3. The Revenue Divisional Officer, Nalgonda Division, At Nalgonda

4. The Tahsildar, Shaligowraram Mandal Nalgonda District
5. One CC to SRI J ASHVINI KUMAR Advocate [OPUC]
6. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana. [OUT]
7. Two CD Copies

HIGH COURT

KLJ

DATED:30/12/2022

ORDER

WP.No.46690 of 2022



**WP IS DISPOSED
OF WITHOUT COSTS**