

**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: 46680 OF 2022

Between:

Shaik Wali Mohammad, S/o Fakeer Mohammad, Aged about 73 years, Occ.
Agriculture R/o 2-38, Umadam village, Talamadugu Mandal, Adilabad Dist.

...Petitioner

AND

1. The State of Telangana, Rep. by its Pri, Secretary to Govt. Secretariat,
Hyderabad, Revenue Department.
2. The District Collector, Adilabad District Collectors Office, at Adilabad.
3. The Tahsildar, Talamadugu 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 by declaring the impugned action of respondent No.2 herein in not disposing of the application of the petitioner for issuance of pattedar pass book and title deed in respect of the land in Sy.No.140/1 admeasuring Ac.7.15 gts., situated at Umadam village, Talamadugu Mandal, Adilabad Dist., in pursuance of the application through ONLINE application dated 7-9-2022 vide transaction ID No.013546000012200 vide Khata No.308, 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 2nd respondent to consider the application of the petitioner for issuance of pattedar pass book and title deed (DIGITAL) in respect of the land in Sy.No.140/1 admeasuring Ac.7.15 gts., situated at Umadam village, Talamadugu Mandal, Adilabad Dist., in pursuance of the application through ONLINE application dated. 7-9-2022 vide transaction ID No.013546000012200 vide Khata No.308.

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 for issuance of pattedar pass book and title deed (DIGITAL) in respect of the land in Sy.No.140/1 admeasuring Ac.7.15 gts., situated at Umadam village, Talamadugu Mandal, Adilabad Dist., in pursuance of the application through ONLINE

application dated, 7-9-2022 vide transaction ID No.013546000012200 vide Khata No.308.

Counsel for the Petitioner: SRI. J ASHVINI KUMAR

Counsel for the Respondent No.1 to 3: AGP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.46680 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.7-15 gts in Sy.No.140/1, situated at Umadam Village, Talamadugu Mandal, Adilabad District. In proof of the same, he has filed copies of Pahanies and Dharani status. He has not filed old or new Pattadar passbook. However, he had submitted online application vide ID No.013546000011363 dated 29.12.2021 with the 2nd respondent with a request to issue E-Pattadar passbook and title deed. Despite receiving and acknowledging the said online application, the 2nd respondent did not act upon the same. Therefore, the present Writ Petition.

3. Whereas, the learned Assistant Government Pleader for Revenue, on instructions would submit that

the 2nd respondent will consider the said online application and pass appropriate orders in accordance with law.

4. It is relevant to note that in supersession of the Telangana Rights in Land and Pattadar Pass Book Act, 1971 (Act No.26 of 1971), the State promulgated the Telangana Rights in Land and Pattadar Pass Book Act, 2020 (Act No.9 of 2020) simplified procedure of entries in revenue records and confined to three circumstances in which request can be made for alteration of entries in the revenue records i.e., sale /gift /mortgage, succession / survivorship /inheritance and by way of court decree.

5. In view of the said discussion, this Writ Petition is disposed of directing the 2nd respondent to consider the online application vide ID No.013546000011363 dated 29.12.2021 submitted by the petitioner and pass appropriate orders in accordance with law by putting the petitioner and all effected 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 and 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/- T. JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Pri. Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Adilabad District Collectors Office, at Adilabad.
3. The Tahsildar, Talamadugu Mandal, Adilabad District.
4. One CC to SRI. J ASHVINI KUMAR Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
6. Two CD Copies

HIGH COURT

KL.J

DATED:30/12/2022

ORDER

WP.No.46680 of 2022



WRIT PETITION IS DISPOSED OF

WITHOUT COST