

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 626 OF 2023

Between:

Kasani Hari Prasad, S/o Late Laxman Rao, Aged about 35 years, Occ: Agriculture,
R/o H.No. 5-4-124, 23rd ward, Station Basti, Yellandu Town, Bhadradi Kothagudem
District.

...PETITIONER

AND

1. The State of Telangana, Rep.by its Principal Secretary to the Government,
Tribal Welfare Department, Secretariat Buildings, Secretariat, Hyderabad.
2. The District Collector, Kothagudem at Bhadradi Kothagudem District.
3. The Revenue Divisional Officer, Kothagudem at Bhadradi Kothagudem
District.
4. The Tahsildhar, Yellandu, Bhadradi Kothagudem 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 the Writ of Mandamus, questioning the action of respondent
authorities particularly the respondent. No.4 in not issuing the Patta Passbooks
by implementing the 2nd respondent directions in RC. No. E3/2368/2020,
dated 9-7-2020, as illegal arbitrary and against the principles of natural justice
and in contrary to the existing laws. Consequently, to direct the respondents
authorities to conduct the necessary filed enquiry and issue Patta Passbooks by
considering the petitioner's representation, dated: 15-6-2020, Land Tax Receipt,
Pahanis for the year 2009, 2010, 2013 and 2015, 1B certificate
dated: 15-11-2017, pending disposal of the writ petition.

IA NO: 1 OF 2023

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 respondents authorities to conduct the necessary tiled enquiry and issue Patta Passbooks by considering the petitioner's representation, dated: 15-6-2020, Land Tax Receipt, Pahanis for the year 2009, 2010, 2013 and 2015, 1B certificate dated: 15-11-2017, pending disposal of the writ petition.

Counsel for the Petitioner: SRI CHALAKANI VENKAT YADAV

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for the Respondents No.2 to 4: AGP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.626 of 2023

ORDER:

Heard Sri Chalakani Venkat Yadav, learned counsel appearing for the petitioner and learned Assistant Government Pleader for Revenue appearing for respondents. Perused the record.

The petitioner is claiming that his father was the absolute owner and possessor of land admeasuring Ac.2-00 gts., in Sy.No.549 situated at Rompedu village, Yellandu Mandal, Bhadradi-Kothagudem district. In proof of the same, he has filed copies of 1-B Certificate dated 15-11-2017, passbook and other revenue records. After his death, petitioner herein had submitted representation dated 18-06-2020 with respondent No.2 with a request to mutate his name and issue E-pattedar passbook. On receipt of said representation, respondent No.2 vide his proceedings Rc.No.E3/2368/2020, dated 09-07-2020 requested respondent NO.4 to go through the contents of



the petition, enquiry with reference to field and record and take necessary action as per rules in vogue without any delay under intimation to the petitioner and the office of respondent No.2. Despite the same, respondent No.4 did not act upon the same, therefore, the present writ petition.

Whereas learned Assistant Government Pleader for Revenue, on instructions, would submit that both respondent Nos.2 and 4 will consider the aforesaid representation and request made by the petitioner on consideration of the documents submitted by him and also on conducting field inspection and pass appropriate orders, in accordance with law.

In view of the aforesaid discussion, this writ petition is disposed of, directing respondent Nos.2 and 4 to consider the aforesaid representation dated 18-06-2020, along with documents including 1-B Certificate dated 15-11-2017 and proceedings dated 09-07-2020, submitted by the petitioner 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 respondent Nos.2 and 4 are not inclined to accept the claim / request of the petitioner, they shall assign specific reasons, pass a reasoned order and shall communicate copy of the said order to the petitioner. They shall complete the entire exercise within a period of eight (8) 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.

SD/-K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The District Collector, Kothagudem, Bhadrachalam District.
2. The Tahsildhar, Yellandu, Bhadrachalam District.
3. One CC to SRI CHALAKANI VENKAT YADAV, Advocate [OPUC]
4. Two CCs to GP FOR SOCIAL WELFARE, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CC's to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies

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4/4/

HIGH COURT

DATED: 09/01/2023

ORDER

W.P.No.626 of 2023



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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12/1/23
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