

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

**WEDNESDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 2542 OF 2022

Between:

1. Cheemarla Amruthamma, W/o. Cheemarla Laxma Reddy, Aged about 66 years, Occ. Household, R/o. Dasupally Village of Telkapally Mandal, Nagarkurnool District.
2. Cheemarla Laxma Reddy, S/o. Cheemarla Ram Reddy, Aged about 71 years, Occ. Retd.Employee. R/o. Dasupally Village of Telkapally Mandal, Nagarkurnool District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
2. The District Collector, Nagarkumool, Nagarkurnool District,
3. The Tahsildar, Telkapally Village andMandal,Nagarkumool District.
4. Bommasani Anjamma, W/o. Late Bommasani Baraiah, Aged about 64 years, Occ. Agriculture.
5. Bommasani Ramu, S/o. Late Bommasani Baraiah, Aged about 44 years, Occ. Pvt. Driver.
6. Bommasani Shiva, S/o. Late Bommasani Baraiah, Aged about 42 years, Occ. Pvt. Employee.
7. Bommasani Venkatesh, S/o. Late Bommasani Baraiah, Aged about 30 years, Occ. Student,

All are R/o. Telkapally Village and Mandal, Nagarkumool 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 a Writ, Order or direction, more particularly a Writ in the nature of Mandamus, declaring action of the Respondents, more particularly that of

Respondents 2 and 3 in not issuing the e-Patta Pass Books in favour of the Petitioners in respect of the subject land inspite of the fact that my name is reflected as Pattadar in the revenue records, but postponing only on the ground of pendency of O.S. No. 187/2016 pending on the file of Hon'ble Junior Civil Judge, is challenged in this Writ Petition as being arbitrary, illegal and violative of Articles 14, 19 (1) (g), 21 and 300-A of the Constitution of India and consequently direct the Respondents 2 and 3 to initiate action and forthwith issue e-Pass Book/Title Deeds in the name of the 1st Petitioner in respect of the land in Sy. No. 67, admeasuring Ac. 1.05 Gts., situated within the limits of Telkapally Village and Mandal, Nagarkurnool District, without reference to pendency of O.S. No. 187/2016 on the file of Hon'ble Junior Civil Judge.

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 Respondents 2 and 3 to expeditiously dispose off the notices issued by the Counsel for the Petitioners to Respondent 2 and 3 on 11/11/2019, 22/09/2020 and 12/01/2022, without reference to pendency of O.S. No. 187/2016 on the file of Honorable Junior Civil Judge.

Counsel for the Petitioners: SRI VIJAY B PAROPAKARI

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

Counsel for the Respondent No.4 to 7: SRI M. DAMODAR REDDY

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.2542 OF 2022

ORDER : (ORAL)

This writ petition is filed by the petitioners seeking to declare action of respondents No.2 and 3 in not issuing *e-pattadar* passbook in respect of the land admeasuring Ac.1-05 guntas in Survey No.67, situated at Telkapally Village and Mandal, Nagarkurnool District, as being illegal, arbitrary and unconstitutional.

2. It is claimed that petitioner No.1 is the owner and possessor of the subject land having purchased the same under a registered sale deed bearing document No.1484 of 1981 dated 03.07.1981 and her name was mutated in the revenue records in respect and she had been in possession and enjoyment of the subject land. It is submitted that respondents No.4 to 7, after a lapse of 35 years, filed a suit for declaration of title and injunction *vide* O.S. No.187 of 2016 on the file of learned Junior Civil Judge, Nagarkurnool against the petitioners herein alleging that they are the owners and possessors of the subject land. They have also filed I.A. No.389 of 2016 in O.S. No.187 of 2016 seeking to restrain the respondents therein (i.e. petitioners herein) from

alienating the subject land and the same was dismissed by judgment dated 12.04.2018, against which no appeal was filed and the same has attained its finality. It is submitted that the petitioners approached the respondent authorities for issuance of *e-pattadar* passbook in respect of the subject land but the petitioners did not receive any response. The grievance of the petitioners is that the respondent authorities are not taking any steps in issuing *e-pattadar* passbook to the petitioners in respect of the subject land, as such, they are constrained to approach this Court.

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

4. Learned Assistant Government Pleader for Revenue submitted that the petitioners are required to submit Dharani application for issuance of *e-pattadar* passbook and on receipt of the same, appropriate action will be taken, in accordance with law.

5. Recording the aforesaid submission, the writ petition is disposed of directing the petitioners to submit Dharani application seeking for issuance of *e-pattadar* passbook in respect of the land admeasuring

Ac.1-05 guntas in Survey No.67, situated at Telkapally Village and Mandal, Nagarkurnool District and upon receipt of such application, respondents No.2 and 3 are directed to consider the same and pass orders, in accordance with law, within a period of forty five (45) days from the date of receipt of Dharani application. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in the writ petition stand closed.

//TRUE COPY//

SD/-V.KAVITHA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat Buildings, The State of Telangana, Hyderabad.
2. The District Collector, Nagarkurnool, Nagarkurnool District,
3. The Tahsildar, Telkapally Village and Mandal, Nagarkurnool District.
4. One CC to Sri Vijay B Paropakari, Advocate [OPUC]
5. One CC to Sri M. Damodar Reddy, Advocate[OPUC]
6. Two CCs to GP for Revenue, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

T J
GJP

[Handwritten signature]

HIGH COURT

DATED:29/11/2023

ORDER

WP.No.2542 of 2022



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

(10) VLV
23/12/23