

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE TWENTY THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE
PRESENT**

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 1727 OF 2023

Between:

Chakali Durgaiah, S/o Chakali Pentaiah, R/o H.No. 1-50/A, Munirai, Mohammed Nagar Village, Kowdipally Mandal, Medak District

...PETITIONER

AND

1. State of Telangana, represented by its Principal Secretary, Revenue Department at Secretariat, Hyderabad
2. The District Collector, Medak District at Medak
3. The Tahsildar, Kowdipally Mandal, Medak 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 of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of Respondents in not changing the nature of land admeasuring Ac. 2.00 in Sy No. 284/LUU3 (Old Sy No. 284/9) situated at Mohammednagar Village, Kowdipally Mandal, Medak District, belonging to the petitioner, from "assigned land" to "patta land" as illegal, arbitrary, violative of Art. 14 and 300-A of Constitution of India and ultra vires the provisions of Telangana Rights in Land and Pattadar Passbooks Act, 2020 (Act 9 of 2020) and to consequently direct the Respondents to forthwith consider the application made by petitioner on 12/12/2022 and correct the nature of above land as "patta land" in all the revenue records, including "record of rights" maintained under Section 3 of Telangana Rights in Land and Pattadar Passbooks Act, 2020 and also make necessary changes in Dharani Portal and issue new pattadar pass book to the petitioner by showing the nature of above land as "patta land" and also by deleting petitioner's land from prohibitory category list maintained in Dharani Portal; Award costs;

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 Issue Interim directions to the Respondents to forthwith consider the application made by the petitioner

on 12/12/2022 and issue new pattadar pass book to the petitioner in respect of land admeasuring Ac.2.00 in Sy No.284/LIUJ3 (Old Sy No. 284/9) situated at Mohammednagar Village, Kowdipally Mandal, Medak District, by showing the nature of said land as "patta land", and also by deleting petitioner's land from the prohibitory category list maintained in Dharani Portal

Counsel for the Petitioner : SRI S SUDEEP REDDY

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following:

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.1727 of 2023

ORDER:

Heard Sri S. Sudeep Reddy, learned counsel appearing for the petitioner and learned Assistant Government Pleader for Revenue appearing for respondents. Perused the record.

Petitioner herein is claiming that he is the absolute owner and possessor of land admeasuring Ac.2-00 gts., in Sy.No.284/LUU3 (Old Sy.No.284/9) situated at Mohammednagar village, Kowdipally mandal, Medak district. According to him, it is patta land. He has filed copies of latest and old pattedar pass books and title deeds and also 13-B Certificate to contend that it is patta land. Now, in the Revenue records the said property is mentioned as assigned land. Therefore, he has made online application bearing No.2200161855 dated 12-12-2022 with respondent No.2 with a request to correct the said wrong entry. Despite receiving and

acknowledging the said online application, respondent No.2 did not act upon the same, therefore, the present writ petition.

Whereas learned Assistant Government Pleader for Revenue, on instructions, would submit that respondent No.2 will consider the said online application submitted by the petitioner and pass appropriate orders, in accordance with law.

In view of the aforesaid discussion, this writ petition is disposed of, directing respondent No.2 to consider the online application bearing No.2200161855 dated 12-12-2022 submitted by the petitioner and pass appropriate orders, in accordance with law by putting the petitioner on notice and affording him an opportunity of hearing. He shall also consider the instructions issued by the Chief Secretary in CCLA's Ref.No.CMRO/3691/2022, dated 03-11-2022. If respondent No.2 is not inclined to accept the claim / request of the petitioner, he shall

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assign specific reasons, pass a reasoned order and shall communicate copy of the said order to the petitioner. He 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/- MOHD SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department at Secretariat, Hyderabad, State of Telangana
2. The District Collector, Medak District at Medak
3. The Tahsildar, Kowdipally Mandal, Medak District
4. One CC to SRI. S, SUDEEP REDDY Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, Hyderabad. [OUT]
6. Two CD Copies

HIGH COURT

KI., J

DATED: 23/01/2023



ORDER

WP.No.1727 of 2023

WRIT PETITION IS DISPOSED
OF WITHOUT COSTS