

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

**WEDNESDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

WRIT PETITION NO: 4676 OF 2018

Between:

1. Rajula Mallaiah, S/o.Late Narsaiah, Aged about 62 years, Occ.Cultivation and Business, R/o.Annarigudem Village, Mothey Mandal, Suryapet District.
2. Rajula Venkanna, S/o.Late Narsaiah, Aged about 59 years, Occ. Cultivation and Business, R/o.Annarigudem Village, Mothey Mandal, Suryapet District.
3. Rajula Katama Raju, S/o.Late Narasaiah, Aged about 45 years, Occ. Cultivation and Coolie, R/o.Annarigudem Village, Mothey Mandal, Suryapet District.

...PETITIONERS

AND

1. The State of Telangana, rep. by its Prl. Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Suryapet, Suryapet District.
3. The Revenue Divisional Officer, Suryapet, Suryapet District.
4. The Tahsildar, Mothey, Mothey Mandal, Suryapet District.
5. Rajula Ramaiah @ Ramulu, S/o.Late Narsaiah, Aged about 65 years, Occ. Cultivation and Business, R/o.Annarigudem Village, Mothey Mandal, Suryapet District.
6. Javvaji Seethamma, W/o.Bhadraiah, Aged about 57 years, Occ. House hold, R/o.Eashwara Madharam Village, Kusumanchi Mandal, Khammam District.
7. Puttapaka Pullamma, W/o.Venkanna, R/o.Chilkoor Village and 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 in the nature of Writ of Mandamus declaring the action of the action of the 4th Respondent in mutating

the 5th respondent name in the Pattadar Adangal/Pahani copy and 1-B Namuna (ROR) dt.17-01-2018 and 16-09-2017 as occupation column without issuing any notice to the petitioners is illegal, arbitrary and violation of principles of natural justice and consequently direct the Respondent Nos.2 to 4 to Remove/Delete the 5th respondent name in the Pattadar Adangal/Pahani copy and 1-B Namuna (ROR) dt.17-01-2018 and 16-09-2017 as occupant column and to record the petitioners names in the Pattadar Adangal/Pahani copy and 1-B Namuna (ROR) and in the relevant revenue records in Sy.No.189/VU an extent of Ac.2-00 cents of dry land situated at Annarigudem Revenue Village, Mothey Mandal, Suryapet District as per the Petitioners Representations dt.20-10-2017.

IA NO: 1 OF 2018

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 Respondent Nos.2 to 4 to Remove/Delete the 5th respondent name in the Pattadar Adangal/Pahani copy and 1-B Namuna (ROR) dt.17-01-2018 and 16-09-2017 as occupant column and to record the petitioners names in the Pattadar Adangal/Pahani copy and 1-B Namuna (ROR) and in the relevant revenue records in Sy.No.189/VU an extent of Ac.2- 00 cents of dry land situated at Annarigudem Revenue Village, Mothey Mandal, Suryapet District as per the Petitioners Representations dt.20-10-2017 pending disposal of the above writ petition.

Counsel for the Petitioners: SRI T. G. PRASAD REDDY

Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE

**Counsel for the Respondent Nos.5 to 7: SRI B. SUBRAMANYA KUMAR,
REPRESENTING FOR SRI P.S.P. SURESH KUMAR**

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.4676 of 2018

ORDER:

This writ petition is filed seeking the following relief:

“... to issue an appropriate writ, order or direction more in the nature of Writ of Mandamus declaring the action of the 4th Respondent in mutating the 5th respondent name in the Pattadar Adangal/Pahani copy and 1-B Namuna (ROR) dt 17.01.2018 and 16.09.2017 as occupation column without issuing any notice to the petitioners is illegal, arbitrary and violation of principles of natural justice and consequently, direct the Respondent Nos. 2 to 4 to Remove/Delete the 5th respondent name in the Pattadar Adangal/Pahani copy and 1B Namuna ROR dt 17.01.2018 and 16.09.2017 as occupant column and to record the petitioners names in the Pattadar Adangal/Pahani copy and 1B Namuna ROR and in the relevant revenue records in Sy. No. 189/VU an extent of Ac.2-00 cents of dry land situated at Annarigudem Revenue Village, Mothey Mandal, Suryapet District as per the Petitioners Representations dt. 20.10.2017 and pass...”

2. Heard Sri T.G.Prasad Reddy, learned counsel for the petitioners, learned Assistant Government Pleader for Revenue appearing on behalf of respondent Nos. 1 to 4 and Sri B.Subramanya Kumar, learned counsel, representing Sri P.S.P.Suresh Kumar, learned counsel for respondent Nos.5 to 7.

3. Learned counsel for the petitioners submits that the petitioners are owners and possessors of the agriculture land to an extent of Ac.2-00 cents in Sy.No.189/VU situated at Annarigudem

Revenue Village, Mothey Mandal, Suryapet District. Without issuing notice to the petitioners, revenue authorities were mutated the name of the unofficial respondents in the revenue records. Immediately after came to know the same, the petitioners have submitted a representation to respondent No.4 on 20.10.2017 requesting them to rectify the revenue entries in their names. In spite of repeated requests made by the petitioners, respondent No.4 has not taken any steps to consider the claim of the petitioners, without any valid reasons.

4. Learned Assistant Government Pleader submits that, during pendency of the Writ Petition, the State of Telangana, while repealing the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971, introduced new enactment i.e. Telangana Rights in Land and Pattadar Passbooks Act, 2020 (Telangana Act No.9 of 2020), and the same is came into effect from 29.10.2020. Pursuant to the same, the petitioner has to submit online application in Dharani Portal before the competent authority i.e. respondent No.1. As soon as the petitioner submits such application, the concerned authorities will consider the same in accordance with law.

5. Learned counsel for the petitioners by way of reply submitted

that the petitioners may be granted liberty to submit online application in Dharani Portal.

6. In view of the above said submissions, without going into the other aspects of the case, the petitioners are granted liberty to submit online application in Dharani Portal along with the representation submitted on 20.10.2017, within a period of four (4) weeks from the date of receipt of copy of this order. On such application, the District Collector, Suryapet/respondent No.2 is directed to consider the same and pass appropriate orders in accordance with law, after giving notice and opportunity to the petitioners as well as unofficial respondents within a period of two (2) months from the date of submission of the said application.

7. With the above direction, the Writ Petition is disposed of accordingly. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

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SD/- T. TIRUMALA DEVI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Prl. Secretary, Revenue Department, Secretariat, The State of Telangana, Hyderabad.
2. The District Collector, Suryapet, Suryapet District.
3. The Revenue Divisional Officer, Suryapet, Suryapet District.
4. The Tahsildar, Mothey, Mothey Mandal, Suryapet District.
5. One CC to Sri T. G. Prasad Reddy, Advocate [OPUC]
6. One CC to Sri P.S.P Suresh Kumar, Advocate[OPUC]
7. Two CCs to GP for Revenue, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

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HIGH COURT

DATED:20/03/2024

ORDER

WP.No.4676 of 2018



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

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4/4/24