

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

**TUESDAY, THE TWENTY SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION NO: 21181 OF 2018

Between:

Sri Bhujangam Lingam, S/o Late Sri Devu Rao, Aged about 51 years,
Occupation: Agriculture, R/o D.No.11-105, Yedpalli (v) & Mandal, Bodhan
Taluk, Nizamabad District, Telangana State.

...PETITIONER

AND

1. The State of Telangana, Revenue Department, Secretariat, Hyderabad, Rep.
by its Principal Secretary,
2. The District Collector, Nirmal, Nirmal District.
3. The Revenue Divisional Officer, Bhainsa, Nirmal District.
4. The Tahsildar, Mudhole (v) and Mandal, Nirmal 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 of Mandamus, declaring the action of the Respondents-2 to 4 in not issuing new pattadar pass book and title deed in respect of Sy. No.99/E admeasuring Ac.6-25 guntas, situated at Mudhole village and Mandal, Nirmal District, during the Rythubandu Pathakam and also not issuing the cheque amount, despite having the title deed and pattadar pass book in petitioner name in respect of the above said land and also 1-B information list giving the particulars of 1-B describing the petitioner name as pattadar and possessor of the above land, as arbitrary illegal, against the principles of natural justice, and violates the articles of 14 and 300-A of the Constitution of India and consequently direct the Respondents-2 to 4 to issue new title deed and pattadar pass book in respect of the aforesaid land.

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 Respondents-2 to 4 to dispose of the representation dated 24-05-2018, 25-05-2018 & 28-05-2018 during the pendency of the above Writ Petition.

Counsel for the Petitioner: SRI N. GANGADHAR

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.21181 of 2018

ORDER:

This writ petition is filed seeking the following relief:

“... to issue a Writ Order or direction more particularly a Writ of Mandamus declaring the action of the Respondents 2 to 4 in not issuing new pattadar pass book and title deed in respect of Sy. No. 99/E admeasuring Ac. 6-25 guntas situated at Mudhole village and Mandal, Nirmal District during the Rythubandu Pathakam and also not issuing the cheque amount despite having the title deed and pattadar pass book in petitioner name in respect of the above said land and also 1-B information list giving the particulars of 1-B describing the petitioner name as pattadar and possessor of the above land as arbitrary, illegal, against the principles of natural justice and violates the articles of 14 and 300-A of the Constitution of India and consequently direct the Respondents 2 to 4 to issue new title deed and pattadar pass book in respect of the aforesaid land and pass...”

2. Heard Sri N.Gangadhar, learned counsel for the petitioner and learned Government Pleader for Revenue appearing on behalf of the respondents.

3. Learned counsel for the petitioner submits that the petitioner is owner and possessor of the land to an extent of Ac.6-25 gts. in Sy. No. 99/E situated at Mudhole village and Mandal, Nirmal District and he submitted representations to the respondent Nos.2 to 4 on 24-05-2018, 25.05.2018 and 28.5.2018 for grant of Pattadar Passbook and Title Deed and to issue the cheque for the amount under Rythubandu Pathakam. In

spite of repeated requests made by the petitioner, respondent No.4 has not considered the same without having any reasons.

4. Learned Government Pleader submits that during pendency of the writ petition, the State of Telangana, while repealing the Pattadar Pass Books Act, 1971, introduced Record of Rights under the Telangana Rights in Land and Pattadar Passbooks Act, 2020 (Act No.9 of 2020), and also framed Rules *vide* G.O.Ms.No.4 Revenue (Assignment-I) Department, dated 12.01.2021, and by virtue of the said enactment and Rules thereunder, the question of issuance of the Title Deed in favour of the petitioner does not arise. If the petitioner has not received e-Pass Book, the petitioner has to make necessary application through Dharani Portal. On such application, the concerned authority will consider the request made by the petitioner in accordance with law.

5. In reply, learned counsel for the petitioner submits that the petitioner may be granted liberty to submit application in Dharani Portal under the provisions of Act 9 of 2020.

6. In view of the above said submissions, without going into the merits of the case, the petitioner is granted liberty to make necessary application as per Act 9 of 2020 and Circulars made thereunder, for issuance of e-Pass Book within a period of four (4) weeks from the date of

receipt of a copy of this order. On such application, the concerned authority is directed to consider the same and pass appropriate orders, in accordance with law, within a period of two (2) months thereafter, after following the due procedure as contemplated under law.

7. With the above directions, the writ petition is disposed of. No costs.

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

SD/- K. VENKAIAH
ASSISTANT REGISTRAR

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SECTION OFFICER

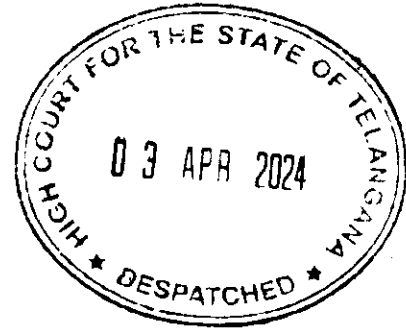
- To,
1. The Principal Secretary, The State of Telangana, Revenue Department, Secretariat, Hyderabad,
 2. The District Collector, Nirmal, Nirmal District.
 3. The Revenue Divisional Officer, Bhainsa, Nirmal District.
 4. The Tahsildar, Mudhole (v) and Mandal, Nirmal District.
 5. One CC to SRI N. GANGADHAR, Advocate [OPUC]
 6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana.
[OUT]
 7. Two CD Copies

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HIGH COURT

DATED:27/02/2024



ORDER

WP.No.21181 of 2018

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(10) Copies

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27/3/24