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

MONDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 33022 OF 2024

Between:

M. Sudarshan Goud, S/o. Rama Goud, Aged about 72 years, Occ. Agriculture, R/o. Narsapur (G) Village and Mandal, Nirmal, Nirmal District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Telangana Secretariat, Hyderabad.
2. The District Collector, Nirmal, Nirmal District.
3. The Revenue Divisional Officer, Bhainsa Revenue Division, Nirmal, Nirmal District
4. The Tahsildar, Bhainsa Mandal, Bhainsa, 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 an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not mutating and issuing E Pattadar Pass books in favour of the petitioner the land in Sy No. 206, 207 to an extent of Ac. 0.06 guntas and Ac. 0.35 guntas respectively, total to an extent of Ac. 1.01 guntas, situated at Thimmapur Village, Bhainsa Mandal, Nirmal District is illegal, arbitrary, contrary to the provisions of Telangana State Rights in Land and Pattadar Pass Book Act 2020 and as well as the violation of the fundamental rights guaranteed under the Constitution of India consequently direct the respondents to mutate and issue E Pattadar Pass Book in favour of the petitioner for the above said land and extent.

IA NO: 1 OF 2024

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 to mutate and issue E Pattadar Pass books in favor of the petitioner the land in Sy No. 206, 207 to an extent of Ac. 0.06 guntas and Ac.0.35 guntas respectively, total to an extent of Ac. 1.01 guntas situated at Thimmapur Village, Bhainsa Mandal, Nirmal District, forthwith pending disposal of the main writ petition.

Counsel for the Petitioner: SRI RAMAKOTAIAH KANDALA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE C. V. BHASKAR REDDY

WRIT PETITION No.33022 of 2024

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

> *"...to issue an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not mutating and issuing E-Pattadar Pass books in favour of the petitioner the land in Sy. No. 206, 207 to an extent of Ac. 0.06 guntas and Ac.0.35 guntas respectively total to an extent of Ac. 1. 01 guntas situated at Thimmapur Village, Bhainsa Mandal, Nirmal District is illegal, arbitrary, contrary to the provisions of Telangana State Rights in Land and Pattadar Pass Book Act, 2020 and as well as the violation of the fundamental rights guaranteed under the Constitution of India consequently direct the respondents to mutate and issue E-Pattadar Pass Book in favour of the petitioner for the above said land and extent ..."*

2. It is stated that petitioner is the owner and possessor of the land admeasuring Ac.0.06 guntas and Ac.0.35 guntas in Sy.Nos.206 and 207 situated at Thimmapur Village, Bhainsa Mandal, Nirmal District. It is further stated that he instituted a suit vide O.S.No.29 of 1985 on the file of the District Munsif, seeking declaration in respect of the subject land and the same was decreed *vide* judgment and decree, dated 26.04.1985. It is also stated that as per the provisions of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (hereinafter

referred to 'ROR Act, 1971') and the Rules made thereunder, the petitioner submitted several applications before the respondents for issuance of pattadar passbooks and when the respondents have not considered the said applications for issuance of pattadar passbooks and title deeds, the petitioner has submitted online application, dated 16.07.2024 in Dharani Portal under the provisions of the Telangana Rights in Land and Pattadar Pass Books Act, 2020 (for short 'Act, 2020') for mutation and issuance of pattadar passbooks. The grievance of the petitioner is that till date, the respondent-authorities have not taken any action on his application. Hence the writ petition.

3. Considered the submissions made by the learned counsel for the parties and with their consent this writ petition is disposed of at the admission stage.

4. Admittedly, the suit filed by the petitioner was decreed in the year 1985 and if any rights accrued in favour of the petitioner, he is entitled to make an application as per the timeline prescribed under Section 4 of the ROR Act, 1971, which as under:

4. Acquisition of rights to be intimated.

(1) Any person acquiring by succession, survivorship, inheritance, partition, Government patta, decree of a Court or otherwise any right as owner, pattadar, mortgagee, occupant or tenant of a land and any person acquiring any right as occupant of a land by any other method shall intimate in writing his acquisition of such right, to the Mandal Revenue Officer within ninety days from the date of such acquisition, and the said Mandal Revenue Officer shall give or send a written acknowledgement of the receipt of such intimation to the person making it:

Provided that where the person acquiring the right is a minor or otherwise disqualified, his guardian or other persons having charge of his property shall intimate the fact of such acquisition to the Mandal Revenue Officer.

(2) Notwithstanding anything contained in the Registration Act, 1908 (Central Act 16 of 1908) every registering officer appointed under the Act and registering a document relating to a transaction in land, such as sale, mortgage, gift, lease or otherwise shall intimate the Mandal Revenue Officer of the Mandal in which the property is situate of such transaction.

It is settled law that the parties are not entitled to seek mutation of entries in the revenue records after long lapse of time. In the instant case, seeking implementation of the judgment and decree dated 26.04.1985, the petitioner has made application on 16.07.2024 i.e, nearly after four decades. Even in the land records updation programme introduced by the Government, the petitioner has not taken steps to mutate his name in the revenue records. Entertaining the application at this length of time and granting relief of correction of revenue entries amounts to disturbing the settled legal position. However, it is left open to the petitioner to take

appropriate steps as available in law for implementation of the judgment and decree.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

SD/-A.V.S.PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

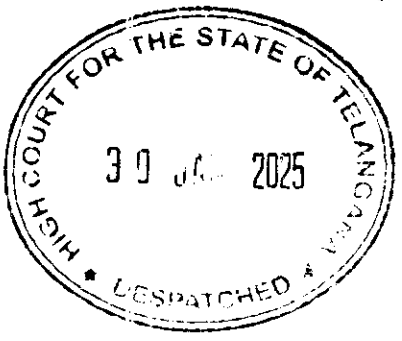
To,

1. The Principal Secretary, Revenue Department, Telangana Secretariat, The State of Telangana, Hyderabad.
2. The District Collector, Nirmal, Nirmal District.
3. The Revenue Divisional Officer, Bhainsa Revenue Division, Nirmal, Nirmal District
4. The Tahsildar, Bhainsa Mandal, Bhainsa, Nirmal District
5. One CC to Sri Ramakotaiah Kandala, 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

HIGH COURT

DATED:25/11/2024



ORDER

WP.No.33022 of 2024

DISPOSING OF THE WRIT PETITION WITHOUT COSTS

(10)Copies

30/11/25