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

FRIDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 35870 OF 2024

Between:

Kommu Rajesh, S/o Dasaraiah, Aged 38 yrs, Occ. Agriculture, R/o H.No.2-40, Gollawada, Mailaram village, Nennel Mandal, Mancherial District.

...PETITIONER

AND

1. The State Of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad, T.S.
2. The Collector, Mancherial District, Office of Collectorate, Mancherial.
3. The Revenue Divisional Officer, Bellampally, Mancherial District.
4. The Tahasildar, Nennel mandal, Mancherial 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 one in the nature of WRIT OF MANDAMUS, declaring the inaction of the 4th respondent in implementing the orders of the 2nd respondent dated 18/09/2024 vide Proc. No.B5/6326/2024 for incorporation of petitioner s name in revenue records in respect of the land in Sy. No.294/2 to an extent of Ac.3-35 guntas situated at Mailaram village, Nennel Mandal, Mancherial District by deleting the same from notional khata, as being arbitrary, illegal, unreasonable, unconstitutional, contrary to the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 2020 and in violation of Articles 14, 21 and 300A of constitution of India and consequently direct the 4th respondent to transfer the said land from notional khata to patta and incorporate petitioner s name in the record of rights and issue e-pattadar passbook-cum-title deed to him by implementing the order of 2nd respondent dated 18/09/2024.

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 4th respondent to implement the order of the 2nd respondent dated 18/09/2024 vide Proc. No.B5/6326/2024 for transfer the land in Sy. No.294/2 to an extent of Ac.3-35 guntas situated at Mailaram village, Nennel Mandal, Mancherial District from notional khata to patta and incorporation of petitioner's name in revenue records pending disposal of the above writ petition.

Counsel for the Petitioner: SRI P.LAKSHMA REDDY
Counsel for the Respondents: SRI L.RAVINDER, AGP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.35870 of 2024

ORDER:

This Writ Petition is filed praying this Court to declare the action of respondent No.4 in not implementing the orders passed by respondent No.2 *vide* proceedings No.B5/6326/ 2024, dated 18.09.2024 for incorporation of the petitioner's name in the revenue records in respect of the land to an extent of Acs.3.35 guntas in Sy.No.294/2 situated at Mailaram Village, Nennel Mandal, Mancherial District by deleting the same from notional khata, as arbitrary, illegal and contrary to the provisions of the Telangana Rights in Landa and Pattadar passbooks Act, 2020 (for short "the Act 9 of 2020") and in violation of Articles 14, 21 and 300-A of the Constitution of India and for other appropriate reliefs.

2. It is stated that the grandfather of the petitioner by name Pocham was the pattadar of the land to an extent of Acs.7.30 guntas in Sy.No.294 situated at Mailaram Village, Nennel Mandal, Mancherial District and after his death, the said land was succeeded by his two sons i.e., father of the petitioner and his brother and the share allotted to his father is Acs.3.35 guntas and after the death of his father, he had succeeded the

said property. It is further stated that respondent No.4 also issued succession proceedings No.4/2012 in favour of the petitioner and his name was recorded in the revenue records as pattadar and possessor as per the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 1971 and the Rules made thereunder. It is further stated that the subject land was identified for the purpose of acquisition for construction of main canal under Dr.B.R.Ambedkar Pranahita-Chevella Sujala Sravanthi Project and a notification has been issued under the provisions of the Land Acquisition Act, 1894. It is further stated that subsequently, the government has withdrawn the proposal for acquiring the land of the petitioner for the above said project, but however, the patta land of the petitioner, which has been shown as notional khata has not been deleted from the revenue records. It is further stated that on the representation being submitted by the petitioner, respondent No.2 *vide* proceedings No.B5/6326/2024, dated 18.09.2024 directed respondent No.4 to delete the patta lands of the petitioner from the notional khata and record the same as patta lands as per the provisions of the Act 9 of 2020 and consequently issue e-pattadar passbook in favour of the petitioner. The grievance of the petitioner is that even after the specific directions issued

by respondent No.4, respondent No.2 is not implementing the same.

3. Considered the submissions of the learned counsel for the petitioner, Sri L.Ravinder, learned Assistant Government Pleader for Revenue appearing for respondents and with their consent, this writ petition is disposed of at the admission stage.

4. Learned counsel for the petitioner vehemently contended that since the land which has been shown as notional khata has not been recorded as patta land the petitioner is unable to receive any investment subsidies or incentives sanctioned by the Government for cultivating the land.

5. Keeping in view of the above submissions and since the District Collector-respondent No.2 had already directed respondent No.4 to delete the subject land from notional khata, this Court deems it appropriate to dispose of the writ petition directing respondent No.2 to issue pattadar passbook to the petitioner in terms of the directions issued by respondent No.2 *vide* proceedings, dated 18.09.2024, within a period of two weeks from the date of receipt of a copy of this order, duly deleting the lands from notional khata to the khata of the petitioner.

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

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

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

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, Secretariat, Hyderabad, State Of Telangana, T.S.
2. The Collector, Mancherial District, Office of Collectorate, Mancherial.
3. The Revenue Divisional Officer, Bellampally, Mancherial District.
4. The Tahasildar, Nennel mandal, Mancherial District.
5. One CC to SRI P.LAKSHMA REDDY, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
7. Two CD Copies

PSK.
BS

HIGH COURT

DATED:20/12/2024

ORDER

WP.No.35870 of 2024



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(10) Xerox

8/1/25