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

TUESDAY, THE TWENTY FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 36144 OF 2024

Between:

Mr. Potlapalli Pavan Kalyan, S/o Potlapalli Bapu, Aged 26 years Occ: Agriculture, R/O Village Chinnabude, Mandal Mancherial District -504251.

...PETITIONER

AND

1. The State of Telangana, Rep: by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Mancherial District.
3. The Revnue Divisonal Officer RDO, Bellampalli 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 appropriate writ, order or orders, more particularly one in the nature of writ of mandamus to take action on applications dated 09/10/2023 and 02/12/2024 are applied to 3rd and 2 respondent and in not doing succession to all the 4 bothers /legal hairs of ac 7.19 gts in sy. No. 82, 83, 74/1 Nennela Shivar Mandal, Nennela District Mancherial , further it be declared that in not issuing passbooks to above land is contrary to law being arbitrary unreasonable, illegal against the interest of petitioner depriving him of their Principles of natural right under Article 300 A and right to life under Article 21 of Constitution of India.

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 to take action on applications dated 09/10/2023 and 02/12/2024 are

applied to 3rd and 2 respondent to issuing succession to all the 4 bothers /legal hairs ac 7.19 gts in sy. No. 82, 83, 74/1, Nennela Shivar Mandal Nennela, District Mancherial pending disposal of the writ petition.

Counsel for the Petitioner: SRI POCHAIAH DORISHETTI

Counsel for the Respondents: AGP FOR ASSIGNMENT

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.36144 of 2024

ORDER:

It is stated that the petitioner's grandfather Potlapalli Narsaiah was assigned the land admeasuring Ac.7.19 guntas in Sy.Nos.82, 83 and 74/1 situated at Nennela Shivar Village, Nennela Mandal, Mancherial District. It is further stated that the name of the petitioner's grandfather was recorded as assignee in all the revenue records and pattadar passbook and title deed have been issued under the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 1971 and the Rules made thereunder. It is further stated that the original assignee Potlapalli Narsaiah was expired on 22.01.2014, thereafter, the property was devolved upon his successors-in-interest. It is further stated that the petitioner, being the successor-in-interest of the original assignee, has made representations, dated 09.10.2023 and 02.12.2024 seeking for mutation/succession and consequential issuance of pattadar passbook under the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 2020 (for short "the ROR Act, 2020"). The grievance of the petitioner is that even after receipt of the said applications, the respondents are not considering the same.

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

3. Sri D.Pochaiah, learned counsel for the petitioner has vehemently contended that the petitioner, who is the successor-in-interest of the original assignee, in whose favour the land was allotted, is entitled for issuance of pattadar passbook, in terms of the policy enunciated by the government in G.O.Ms.No.1406, dated 27.05.1958.

4. Learned Assistant Government Pleader for Assignment appearing for the respondents has not disputed that in terms of the policy enunciated in G.O.Ms.No.1406, dated 27.05.1958, the assigned land is heritable but the same cannot be alienated.

5. In view of the above submissions and since it is the case of the petitioner that he is the successor-in-interest of the original assignee is entitled for mutation of his name in the revenue records and consequential issuance of pattadar passbook, this Court, deems it appropriate to dispose of the writ petition directing the respondents to examine and consider the representations, dated 09.10.2023 and 02.12.2024, submitted by the petitioner subject to the condition of the petitioner fulfils

all the requirements for mutation and consequential issuance of pattadar passbook and duly enclosing the joint family consensus settlement among the other co-sharers in terms of Section 6 of the ROR Act, 2020 and if the petitioner is not otherwise entitled for mutation and consequential issuance of pattadar passbook, the Tahsildar, Bellampalli, is directed to pass a reasoned order in accordance with law and communicate the decision thereon to the petitioner, within a period of eight (08) weeks from the date of receipt of a copy of the order.

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.
2. The District Collector, Mancherial District.
3. The Revnue Divisonal Officer, RDO, Bellampalli Mandal, Mancherial District.
4. One CC to SRI POCHAIAH DORISHETTI, Advocate [OPUC]
5. Two CCs to GP FOR ASSIGNMENT, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies

BSR
BS

HIGH COURT

DATED: 24/12/2024

ORDER

WP.No.36144 of 2024



DISPOSING OF THE WRIT PETITION,

WITHOUT COSTS

(9)

10/1/25