

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

**TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 36817 OF 2024

Between:

Goli Nagamani, W/o Late Srinivasulu, Aged 45 years, Occ ;. Cultivation, R/o Veldevi Village, Addaguduru Mandal, Yadadri Bhuvanagiri District.

.....PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Department of Revenue Secretariat, Hyderabad.
2. The Court of Special Tribunal, District Collector/ Member Yadadri Bhuvanagiri District.
3. The Revenue Divisional Officer, Bhongir, Yadadri Bhuvanagiri District.
4. The Tahsildhar, Addaguduru Mandal, Yadadri Bhuvanagiri District.
5. Maraju Yadgiri, S/o Seethaiah, Aged. 55 Yeats, Occ. Cultivation, R/o Veldevi Village, Addaguduru Mandal, Yadadri Bhuvanagiri 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 nature of Writ of Mandamus declaring the Orders dt.02.02.2021 passed in Special Tribunal Case no.F2/1864/2021 on the file of The Court Of Special Tribunal. Yadadri Bhuvanagiri District there by confirming the Mutation Proceedings passed through Amendment No.29/2007-08 issued by the Tahsildhar, Addagudur Mandal, Yadadri Bhuvanagiri District, there by showing 5th Respondent as Possessor in Revenue Records with respect to Petitioners Agriculture Land admeasuring an extent of Ac 2-01 Guntas in Survey Number 330-e of Veldevi

Village, Addaguduru Mandal, Yadadri Bhuvanagiri District as arbitrary, contrary to provisions of The Telangana Rights in Land and Pattadhar Pass Books Act 1971 and set aside the same and consequently direct the Respondents 2 to 4 to carry out Rectifications in Revenue Records there by deleting the name of 5th Respondent from possessor column of I B Account, Adangal, further insert Petitioner's name as exclusive possessor with respect to Petitioner's Agriculture Land admeasuring an extent of Ac 2-01 Guntas in Survey Number 330-e of Veldevi Village, Addaguduru Mandal, Yadadri Bhuvanagiri District as arbitrary.

I.A.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 Respondent No.4 to not to carry out further mutations in Revenue Records with respect to Petitioner's Agriculture Land admeasuring an extent of Ac 2-01 Guntas in Survey Number 330-e of Veldevi Village, Addaguduru Mandal, Yadadri Bhuvanagiri District as arbitrary.

Counsel for the Petitioner : SRI MALLESWARA RAO KALLU

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

Counsel for the Respondent No.5 : -

The Court made the following ORDER

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.36817 of 2024

ORDER:

It is stated that the petitioner has filed an appeal under Section 5 (5) of the Telangana Rights in Land and Pattadar Passbooks Act, 1971 (for short "the ROR Act, 1971") questioning the mutation proceedings in respect of the agriculture land admeasuring Acs.2.01 guntas in Sy.No.330-e of Veldevi Village, Addaguduru Mandal, Yadadri-Bhongir District, in favour of respondent No.5. *Vide* proceedings dated 07.02.2021 in Special Tribunal Case No.F2/1864/2021, respondent No.2, duly taking into consideration of the revenue records and also the entries made therein, dismissed the appeal filed by the petitioner on the ground that the said appeal has been filed after a long lapse of time i.e., 10 years from the date of amendment being carried in the revenue records. Challenging the same, the present writ petition is filed.

2. Considered the submissions of the learned counsel for the petitioner and Sri L.Ravinder, learned Assistant Government Pleader appearing for respondent Nos.1 to 4 and with their consent, this writ petition is disposed of at the admission stage. In view of the relief sought in this writ petition, issuance of notice to the unofficial respondent is dispensed with.

3. As seen from the record, the petitioner filed appeal after a lapse of 10 years from the date of mutation of the subject property in the name of respondent No.5 and on the sole ground of delay, the said appeal was dismissed. This writ petition is also filed questioning the proceedings of the appellate authority nearly three years after passing of that order. Therefore, *prima facie*, it appears that both at the stage of appeal and filing of the writ petition, there is inordinate delay on the part of the petitioner questioning the amendment/corrections carried out in the revenue records. Since, the petitioner is not diligent in filing the appeal before the appellate authority as well as filing the writ petition questioning the orders of the appellate authority, this Court is of the opinion that the writ petition is misconceived and the same is liable to be dismissed on the ground of delay and laches.

4. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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

SD/-L. LAKSHMI BABU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to SRI MALLESWARA RAO KALLU, Advocate [OPUC]
3. Two CD Copies

SA
BS

kp

HIGH COURT

DATED:31/12/2024

ORDER

WP.No.36817 of 2024



**DISMISSING THE W.P
WITHOUT COSTS.**

⑥
kp
21/2/25