

**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: 36990 OF 2024

Between:

Marepally Durgamma, W/o. Saidulu Aged. 80 years, Occ. HouseWife, R/o.
1-74, Thopucharla Village, Madugulapally Mandal, Miryalaguda, Nalgonda
District

...PETITIONER

AND

1. The State of Telangana, rep. By its Secretary, Department of Revenue, Secretariat. Hyderabad.
2. The District Collector, Nalgonda District.
3. The Tahsildar, Madugulapally Mandal, Nalgonda 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 of Mandamus or any other appropriate Writ, declaring the action of the respondent No.2 and 3 in not mutating the land in the name of the petitioner vide application No. 2400427130, dt. 05-07-2024 as illegal, arbitrary, against the principles of natural justice, without authority of law and against Article 300-A of Constitution of India and consequently direct the respondent No.2 and 3 to mutate the land as claimed vide application No. 2400427130, dt. 05/07/2024 and issue pattedar passbook

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 respondent No.2 and 3 consider the petitioner's application No. 2400427130, dt.05/07/2024 for mutation of land, pending disposal of writ petition

Counsel for the Petitioner: SRI. K. JAGADISHWAR REDDY

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

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

WRIT PETITION No.36990 of 2024

ORDER:

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

"..to issue writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondent No.2 and 3 in not mutating the land in the name of the petitioner vide application No.2400427130, dt.05.07.2024 as illegal, arbitrary, against the principles of natural justice, without authority of law and against Article 300-A of Constitution of India and consequently direct the respondent No.2 and 3 to mutate the land as claimed vide application No.2400427130, dt.05.07.2024 and issue pattadar passbook and pass.."

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. It is stated that the petitioner's son was the pattadar and possessor of the land admeasuring Ac.0.3600 gts., in Sy.No.193/y/1/1, Ac.0.0800 in Sy.No.194/Ru/1/1, total admeasuring Ac.1.04 gts., situated at Indugula Village, Mandugulapally Mandal, Nalgonda District and his name was recorded in the revenue records and pattadar passbook was also issued in respect of the said property as per the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 1971 and the

Rules made thereunder. The case of the petitioner is that after the death of her son, she has made an application *vide* No.2400427130 seeking for grant of Pouthi Izafa and consequential issuance of pattadar passbook in respect of the subject property as per the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 2020 (for short, 'ROR Act, 2020'). The grievance of the petitioner is that the respondents are not considering the said application and passing orders in accordance with law and in view of not considering the said application and not updating the revenue records, she is not in a position to enjoy the benefits of investment subsidies sanctioned by the Government under various schemes. Therefore, she has filed the present writ petition.

4. Learned Assistant Government Pleader for Revenue has contended that the petitioner has not produced any succession certificate issued by any competent Civil Court and since, there are interse disputes between the petitioner and the wife of the deceased son, they are not in a position to conduct enquiry for issuance of mutation proceedings.

5. Keeping in view the relief sought for by the petitioner in this writ petition, ends of justice would be met if the petitioner is permitted to make a fresh online application in appropriate module of Dharani portal by duly enclosing the Consensus

Statement/Settlement Deed arrived at by the family members for sanction of Pouthi Izafa and consequential issuance of the pattadar passbook in respect of the subject property as per the provisions of the Act, 2020, within a period of two (02) months from today. On filing such application, the Tahsildar is directed to conduct enquiry and pass appropriate orders after issuing notice to the petitioner and all other interested/affected parties by way of granting succession rights and consequential issuance of the pattadar passbooks, within a period of three (03) months from the date of submission of the said online application.

6. With the above observations, this Writ Petition is disposed of.
No order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in this writ petition shall stand closed.

**SD/-T.JAYASREE
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Department of Revenue, Secretariat. T.S., Hyderabad.
2. The District Collector, Nalgonda District.
3. The Tahsildar, Madugulapally Mandal, Nalgonda District.
4. One CC to SRI. K. JAGADISHWAR REDDY, Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
6. Two CD Copies

B M /BSK

CHR

HIGH COURT

DATED:31/12/2024

ORDER

WP.No.36990 of 2024



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑨ CHR
14/2/25