

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

MONDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT PETITION NO: 16178 OF 2022

Between:

Smt. S. Prabhavathi Reddy, W/o. late S.Venkat Reddy, Aged about 81 Years,
Occ Agriculture, R/o. Antharam Village, Kulkacharla Mandal, Vikarabad
District.

...PETITIONER

AND

1. The State of Telangana, Rep.by its Principle Secretary (Revenue),
Secretariat, Hyderabad.
2. The District Collector, Vikarabad District.
3. The Tahsildar, Kulkacharla Mandal, Kulkacharla, Vikarabad 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 action of the respondents in rejecting the application No.2100911079 made by the petitioner on 28-09-2021, through Dharani Web portal, for mutation of petitioner name in the revenue records and issuance of e-pass book in respect of land to an extent of Ac.0.35 guntas situated in Sy.No.50 of Antharam Village, Kulkacharla Mandal, Vikarabad District, as illegal, arbitrary and contrary to ROR Act, r/w rules there under and consequently, direct the respondents to set aside the rejection application No.2100911079, and to mutate the petitioner name in the revenue records and issue e-pass book in respect of land to an extent of Ac.0.35 guntas situated in Sy.No.50 of Antharam Village, Kulkacharla Mandal, Vikarabad District, in the interest of justice

IA NO: 1 OF 2022

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 to mutate the petitioner name in the revenue records by receiving the application submitted by the petitioner through online vide

Application No.2100911079 dt.28-09-2011 and issue e-pass book in respect of land to an extent of Ac.0.35 guntas situated in Sy.No.50 of Antharam Village, Kulkacharla Mandal, Vikarabad District, pending the above writ petition, in the interest of justice

Counsel for the Petitioner: SRI HARI KISHAN KUDIKALA

Counsel for Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.16178 of 2022

ORDER:

It is stated that the husband of the petitioner was the owner and possessor of land admeasuring Ac.0.35 guntas in Sy.No.50, situated at Antharam Village, Kulkacharla Mandal, Vikarabad District and the revenue authorities have also mutated his name in the revenue records. The grievance of the petitioner is that after the death of her husband, she made an online application vide No.2100890360, dated 22.09.2021 for mutation of her name and issuance of new pattadar passbook in respect of the subject property and the same was rejected without assigning any reasons.

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

3. Learned counsel for the petitioner has vehemently contended that issuance of e-pattadar passbooks is only consequential act of carrying the entries which have already been made under the provisions of the ROR Act, 1971,

therefore, unless and until earlier passbooks have been cancelled by following the due procedure, the respondent authorities are not having any power or authority to reject the application submitted by the petitioner that too, without assigning any valid reasons. Learned counsel further submitted that the entries made in the pattadar passbook are only compilation of the survey numbers and the accounts for the extent being mentioned in a particular village, therefore, it does not take away the right of the petitioner in any manner unless the entries in the revenue records have been corrected by following due procedure.

4. Learned Assistant Government Pleader for Revenue has submitted that the petitioner has not enclosed all the relevant documents and also not submitted the online application in the prescribed format through Dharani Portal, therefore, the application of the petitioner was rejected. Learned Assistant Government Pleader further submits that if the petitioner makes a fresh application duly enclosing all the documents in the format prescribed in Dharani application, the said application would be considered.

5. This Court has carefully examined the impugned order passed by respondent No.2 rejecting the application submitted by the petitioner for mutation of her name and issuance of new pattadar passbook in respect of the subject property. Except saying that the application submitted by the petitioner is rejected, no valid reasons whatsoever has been assigned to enable the petitioner to take appropriate action. Since the impugned order passed by respondent No.2 is not in consonance with the principles of natural justice, the same is liable to be set aside and accordingly, the same is set aside and the respondent authorities are directed to re-examine the application No.2100890360, dated 22.09.2021 submitted by the petitioner and if she is otherwise eligible and fulfils all the requirements mentioned in CCLA's circular No.1 of 2021, dated 15.01.2021 and Circular No.1 of 2024, dated 28.02.2024, consider the same and pass a reasoned order in accordance with law and communicate the same to the petitioner, within a period of eight (08) weeks from the date of receipt of the application.

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

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

SD/-P. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The District Collector, Vikarabad District.
2. The Tahsildar, Kulkacharla Mandal, Kulkacharla, Vikarabad District.
3. One CC to Sri Hari Kishan Kudikala Advocate [OPUC]
4. Two CCs to GP For Revenue, High Court for the State of Telangana. [OUT]
5. Two CD Copies

MBC

BS

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HIGH COURT

DATED: 20/01/2025



ORDER

WP.No.16178 of 2022

DISPOSING OF WRIT PETITION

WITHOUT COSTS

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10/2/25