IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT PETITION No.11940 of 2023

(CNR No.HBHC010207002023)

DATE: 09.10.2026

Between:

Kammari Vijayamma

...Petitioner

AND

The State of Telangana rep. by its Principal Secretary, Revenue Department, Hyderabad and others

...Respondents

ORDER

Heard Sri K.Ramesh, learned counsel for the petitioner; learned Assistant Government Pleader for Revenue and perused the record.

2. The present Writ Petition is filed under Article 226 of the Constitution of India, with the following prayer:-

> *".....to issue a Writ, Order or Direction(s) essentially in the nature of Writ of Mandamus, declaring the Impugned proceedings of the Respondent No.2, contained in Case No: D/2216 /2022, Dt: 21.02.2023, in rejecting the application made by the petitioner 'through online with application No. LM21000059414 and TM33 No. 2200168210 for issuance of New Pattadar Passbook and Title Deed in favour of the petitioner, in respect of agricultural land to an extent of Ac 4.02 Gts, in Sy No. 403 of*

Maganoor Village and Mandal, Narayanpet District, as illegal, arbitrary, capricious and whimsical apart from resulting in violation of principles of natural justice and in violation of articles 14, 21 and 300A of the Constitution of India, and Consequently direct the Respondent No.2, to issue New Pattadar Passbook and Title Deed in favour of the petitioner in respect of the above mentioned agricultural land, and may Pass any such other Order or Orders as this Hon'ble High Court may deem fit, proper and necessary in the circumstances of the case."

3. The brief facts of the case are that the petitioner's husband, late K.Monappa, was assigned an extent of Acs.4.02 guntas of agricultural land in Sy.No.403 of Manganoor Village, Narayanpet District. A provisional allotment certificate (PAC) was issued on 30.06.1990.

4. The petitioner submits that her husband paid the land value and was issued pattadar passbook No.716844, with ROR 1B khata No.30. After the death of the petitioner's husband in the year 2021, she applied for a new pattadar passbook under Dharani portal. Aggrieved by the non-disposal of the petitioner's application, the present writ petition is filed.

5. On the other hand, the learned Assistant Government Pleader for Revenue submits that the original ceiling register for Sy.No.403 (total extent Ac.8.24 guntas) clearly shows that the land was assigned to two individuals and the name of the petitioner's husband was inserted later and by tampering the record, without the signature of any authorised officer. It is also submitted that

the MRO proceedings dated 30.06.1990 are not believable as they were issued on the same day as the original PAC.

6. The core issue revolves around a conflict between two sets of official records. The petitioner relies on a Provisional Allotment Certificate dated 30.06.1990 and the proceedings of the then MRO, Manganoor, of the same date, which, according to her, support her late husband's possession of Ac.4.02 guntas and payment of land value. She also relies on a Pattadar Passbook issued in his favour and the 1991-92 Adangal records.

7. Respondent No.2, however, rejected the petitioner's application on the basis of the Tahsildar report dated 28.12.2022, which alleges that the ceiling register was tampered with, by inserting the name of the petitioner's husband, which is a serious allegation.

8. The District Collector issued impugned proceedings dated 21.02.2023 rejecting the petitioner's application by relying solely on the report of the Tahsildar dated 28.12.2022,

9. In the considered opinion of this Court, the impugned order suffers from a serious procedural infirmity inasmuch as it relies upon the adverse report of the Tahsildar dated 28.12.2022 without furnishing a copy thereof to the petitioner or affording her an effective opportunity to rebut the allegation of tampering. Though

the petitioner was called upon to appear and was heard, the adverse material relied upon against her was not furnished to her. The principles of natural justice require that material relied upon against a party be disclosed so as to enable such party to effectively meet the same. Therefore, the impugned order, which contains a serious allegation of tampering, could not have been passed without affording the petitioner an opportunity to meet the said allegation.

10. Furthermore, the respondent's reliance on the allegation of tampering is required to be considered in the context of the revised MRO proceedings dated 30.06.1990, the issuance of a Pattadar Passbook, and the 1991-92 revenue records, all of which *prima facie* support the petitioner's claim. The allegation of tampering in the manual register, without proper verification of the relevant records and without affording the affected party an opportunity to respond, cannot constitute a sufficient basis for rejecting the petitioner's claim.

11. The respondent's contention is that the revised MRO proceedings dated 30.06.1990 are not believable merely because they were issued on the same day as the PAC is not sufficient to reject them outright. The said proceedings record revision of the earlier allotments on the basis of spot verification and actual

possession. The genuineness and effect of the said proceedings require proper consideration and verification rather than summary rejection. It is pertinent to note that the averments in relation to the proceedings of the MRO dated 30.06.1990 have not been traversed in the counter-affidavit filed by the respondent No.4.

12. However, this Court cannot ignore the serious allegation of tampering of an official record. A conclusive finding on the validity of the assignment cannot be rendered in these writ proceedings without a proper factual verification. The respondent No.2 is the appropriate authority to undertake such consideration. Therefore, the impugned order dated 21.02.2023 is set aside on the ground of violation of principles of natural justice and non-consideration of the relevant material. The matter is remanded to respondent No.2 for fresh consideration.

13. In view of the above, the respondent No.2 is directed to furnish a copy of the Tahsildar's report dated 28.12.2022 to the petitioner; conduct an appropriate inquiry into the allegation of tampering, including verification of the relevant original records; consider the revised MRO proceedings dated 30.06.1990, the Pattadar Passbook and the 1991-92 Adangal records of the petitioner along with the Tahsildar's report; afford a reasonable opportunity of hearing to the petitioner and all affected parties;

and pass a fresh and reasoned order within a period of three (3) months from the date of receipt of a copy of this order.

14. The Writ Petition is allowed to the extent indicated above.

As a sequel, miscellaneous petitions, pending if any, stand closed. No order as to costs.

G.M.MOHIUDDIN, J

Date: 09.10.2026
ssp