
(2021) 08 TEL CK 0026
In the Telangana High Court
Case No : Writ Petition No. 17920 Of 2021

G.V. Srikanth Rao

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 11-08-2021

Acts Referred:

Telangana Rights in Land and Pattadar Pass Books Act, 2020 — Section 5, 6, 7

Citation : (2021) 08 TEL CK 0026

Hon'ble Judges : P.Naveen Rao, J

Bench : Single Bench

Advocate : M A Mujeeb

Final Decision : Disposed Of

Judgement

1. This writ petition is filed praying to grant the following relief:

to issue an order, direction or writ more appropriately Writ of Mandamus, aggrieved by the action of the respondents herein in not taking action

on the petitioners application dated. 09.04.2021, seeking for Mutation of their names thereby issuing new electronic passbooks in respect of the land

admeasuring about Ac.1.10 guntas falling in Sy.No. 314, of Medchal Village, Medchal Mandal, Medchal-Malkajgiri District, inspite of having

registered Sale Deeds in their names and having old passbooks in respect of the same property is as being illegal, arbitrary and unconstitutional and for

other reliefs and violation of article 21 of constitution of India and consequently direct the Respondent Nos.2 and 3 to take steps on the petitioners

application dated.09.04.2021 and pass...?

2. Heard Sri M.A. Mujeeb, learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue.

3. Petitioners claim to have acquired land to an extent of Ac.1.10 guntas in Sy.No.314 of Medchal Village, Medchal-Malkajgiri District, by way of

registered sale deeds. Based on registered sale deeds, petitioners applied for mutation of their names in the revenue records by submitting application

in printed format on 09.04.2021, acknowledged by the office of the Tahsildar. Alleging inaction on such application, this writ petition is filed.

4. In supercession of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for short "Act 26 of 1971"), the Telangana Rights in

Land and Pattadar Pass Books Act, 2020 (for short "Act 9 of 2020") is brought in. The Act 9 of 2020 simplified the procedure of mutation into

three categories as incorporated in Sections 5 to 7 of the act. The Section 7 deals with the claim for acquiring right and incorporating names of the

claimants in revenue records based on registered sale transactions.

Thus, the claim of the petitioners is covered by provisions of Section 7. The Act 9 of 2020 requires application to be submitted through Dharani Web

Portal and no application is accepted in physical form. Therefore, it is not known how petitioners made application in physical form and the same was

accepted by the office of Tahsildar. Since, petitioners have not followed the procedure required by law, it cannot be said that the Tahsildar is negligent

in considering the grievance of petitioners. Therefore, the prayer sought in the writ petition cannot be granted.

5. The Writ Petition is accordingly disposed of, granting liberty to the petitioners to file application through Dharani Web Portal, taking recourse to

Section 7 of Act 9 of 2020. If such an application is filed, the Tahsildar shall consider the request of the petitioners and pass appropriate orders as

warranted by law. If, for any reason, the Tahsildar is not in agreement with the claim of the petitioners, he shall pass orders assigning reasons in

support of the decision and communicate the same to the petitioners within a period of ten (10) weeks from the date of submission of application.

Pending miscellaneous petitions, if any, shall stand closed.