

(2022) 01 TEL CK 0030
In the Telangana High Court
Case No : Writ Petition No. 14666 Of 2021

Sappidi Chandra Shakher Reddy

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 20-01-2022

Acts Referred:

Citation : (2022) 01 TEL CK 0030

Hon'ble Judges : B. Vijaysen Reddy, J

Bench : Single Bench

Advocate : P Sasidhar Reddy

Final Decision : Disposed Of

Judgement

1. This writ petition has been filed by the petitioner seeking to declare the action of respondent Nos.2 and 3 in not issuing mutation proceedings and

pattadar pass books and title deeds in respect of the agricultural lands, admeasuring Ac.0.20 guntas in Survey No.187, Ac.0.35 guntas in Survey

No.188, Ac.0.32 guntas in Survey No.189, Ac.0.33 guntas in Survey No.190, Ac.0.33 guntas in Survey No.191, Ac.0.33 guntas in Survey No.192,

Ac.0.14 guntas in Survey No.196/1, Ac.0.13 guntas in Survey No.196/2, Ac.0.03 guntas in Survey No.197, Ac.0.03 guntas in Survey No.198, Ac.0.02

guntas in Survey No.199, Ac.0.02 guntas in Survey No.200, Ac.0.02 guntas in Survey No.201, Ac.0.03 guntas in Survey No.202, Ac.0.02 guntas in

Survey No.203, Ac.0.08 guntas in Survey No.204, Ac.0.23 guntas in Survey No.221, Ac.0.09 guntas in Survey No.222/1 and Ac.0.09 guntas in

Survey No.222/2, totaling to an extent of Ac.6.23 guntas, situated at Jilleduchelka, Ankireddygudem Gram Panchayat, Choutuppal Mandal, Yadadri

Bhuvanagiri District, pursuant to the representations dated 20.08.2016,

06.07.2018 and 07.09.2020 submitted by him, as illegal, arbitrary and unconstitutional.

It is the case of the petitioner that he is the absolute owner and possessor of the subject lands. Originally, his father owned the subject lands and his name was entered in the revenue records from 1956 onwards. The father of the petitioner died on 17.12.2010. During his life time, he executed a registered Will Deed dated 06.09.2009 bequeathing the subject lands in favour of the petitioner. The brothers of the petitioner also executed a Deed of Ratification ratifying the Will Deed executed by their father in favour of the petitioner. Therefore, the petitioner applied for issuance of mutation proceedings and pattadar pass books and title deeds in Dharani portal. The grievance of the petitioner is that despite his representations dated 20.08.2016, 06.07.2018 and 07.09.2020, respondent No.3/Tahsildar did not respond. As such, the petitioner is constrained to file the present writ petition.

Heard the learned counsel for the petitioner.

Learned Assistant Government Pleader for Revenue submits that one of the brothers of the petitioner, by name Sappidi Linga Reddy, submitted objection before respondent No.3. Moreover, since the claim of the petitioner is on the basis of a registered Will Deed, any disputes among the legal heirs and the genuineness of the Will Deed cannot be decided by respondent No.3. Further, after the Telangana Rights in Land and Pattadar Pass Books Act, 2020 came into force, it is respondent No.2/District Collector, who is the competent authority to issue mutation proceedings and that too only when application is filed by the concerned party through Dharani portal. Recording the aforesaid submissions, the writ petition is disposed of leaving it open to the petitioner to submit online application for mutation and issuance of e-pass books through Dharani portal to respondent No.2. In case the petitioner faces any difficulty in uploading the same for any reason, he shall be free to submit application manually before respondent No.2, on payment of requisite charges. On receipt of such application, respondent No.2 shall conduct enquiry duly issuing notices to Sappidi Linga Reddy and other brothers and family members of the petitioner. As submitted by the learned counsel for the petitioner, in case the brothers of the petitioner have arrived at any consensus, respondent No.2 shall record the same and

issue necessary mutation proceedings in favour of the petitioner, within a period of six weeks from the date of receipt of the application. However, if

there are any disputes between the brothers of the petitioner, then respondent No.2 shall pass necessary orders, in accordance with law, within the

aforesaid period.

As a sequel, pending miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.