

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

FRIDAY, THE TWENTY SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE N.V.SHRAVAN KUMAR**

WRIT PETITION NO: 28079 OF 2023

Between:

1. Shabbir Ali Khan, S/o. Late Nawab Shamsheer Ali Khan, aged about 44 years, R/o. H.No.10-2-289/22, Shanti Nagar, Hyderabad.
2. Rahmatunnisa Begum, D/o. Late Nawab Mohd. Sultanuddin Khan, aged about 67 years, R/o. H.No.10-2- 289/22, Shanti Nagar, Hyderabad.
3. Mariam Begum, D/o. Late Nawab Shamsheer Ali Khan, aged about 47 years, R/o. H.No.10-2-289/22, Shanti Nagar, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue department, Secretariat, Hyderabad.
2. The District Collector, Ranga Reddy District at Kongarakalan.
3. The Tahsildar, Ibrahimpatnam Mandal, Ibrahimpatnam, Ranga Reddy 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 directing deletion of the subject land admeasuring Ac.172.18 guntas in Sy.Nos.124 of Mangalpally village, Ibrahimpatnam Mandal, Ranga Reddy District from the scope/ambit/purview of G.O.Ms.No.1559, Revenue dated 19/12/2007 and direct the respondents to grant such mutation to the petitioner in respect of the said land in physical and electronic form.

IA NO: 1 OF 2023

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 respondents to delete the land in Sy. No. 124 of Mangalpally village, Ibrahimpatnam Mandal, Ranga Reddy District (Ac.172.18 guntas) from the purview of the GO Ms. No. 1559 dated 19.12.2007 so as to enable grant of mutation and issuance of pattadar passbook to the petitioner, pending disposal of the Writ Petition.

IA NO: 2 OF 2023

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 respondents to consider and grant the mutation to the petitioners (consequential Passbooks and Title Deeds) in respect of the land admeasuring Ac.172.18 guntas in Sy.No.124 of Mangalpally village, Ibrahimpatnam Mandal, Ranga Reddy District without reference to G.O.Ms.No.1559, dated 19.12.2007, pending disposal of the writ petition.

**Counsel for the Petitioners: SRI VEDULA VENKATA RAMANA,
SENIOR COUNSEL FOR M/s. BHARADWAJ ASSOCIATES**

**Counsel for the Respondents: Mr. MOHAMMED IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL**

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE N.V. SHRAVAN KUMAR

WRIT PETITION No.28079 of 2023

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. Vedula Venkata Ramana, learned Senior Counsel for the petitioners.

Mr. Mohammed Imran Khan, learned Additional Advocate General for the State.

2. In this writ petition, the petitioners have prayed for the following relief:

“For the reasons stated in the accompanying affidavit, the petitioners herein pray that this Honourable Court may be pleased to issue a writ of mandamus or any other appropriate writ directing deletion of the subject land measuring Ac.172.18 guntas in Sy.No.124 of Mangalpally Village, Ibrahimpatnam Mandal, Ranga Reddy District from the scope/ambit/purview of G.O.Ms.No.1559, Revenue dated 19.12.2007 and direct the respondents to grant such mutation to the petitioners in respect of the said land in physical and electronic form and grant such other relief as it deems fit in the circumstances of the case.”

3. Learned Senior Counsel for the petitioners submits that the petitioners have submitted an application seeking mutation of their names in the revenue records in respect of the land measuring Acs.172.18 guntas in Sy.No.124 of Mangalpally Village, Imrahimpatnam Mandal, Ranga Reddy District, on the

strength of a final decree passed in C.S.No.14 of 1958. It is further submitted that no orders have been passed on the aforesaid application. It is also pointed out that in the counter affidavit the respondents have taken the stand that the petitioners are not entitled for mutation of their names in respect of the subject land. It is further submitted that the Tahsildar be directed to pass a final order without being influenced by the stand taken in the counter affidavit so that in case the application submitted by the petitioners is rejected, the petitioners can take recourse to the remedy of appeal as well as revision under the Telangana Rights in Land and Pattadar Pass Books Act, 1971.

4. Learned Additional Advocate General submits that the petitioners are not entitled for mutation of their names in the revenue records for the reasons stated in the counter affidavit.
5. We have considered the submissions made on both sides.
6. The petitioners have filed this writ petition being aggrieved by the inaction on the part of the Tahsildar in not deciding the application submitted by them. The application submitted by the petitioners seeking mutation is still pending before the

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Tahsildar which has to be decided by him by passing an order. In case an order is passed against the petitioners, the petitioners have the remedy of an appeal as well as revision under the aforesaid Act if need so arises.

7. Therefore, in the facts and circumstances of the case, the Tahsildar is directed to consider and decide the application filed by the petitioners for mutation of their names in the revenue records by a speaking order after giving an opportunity to the petitioners without being influenced by the stand taken in the counter affidavit within a period of two months. It is made clear that this Court has not expressed any opinion on the merits of the matter.

8. Accordingly, the writ petition is disposed of.

Miscellaneous petitions, pending if any, stand closed.

There shall be no order as to costs.

SD/- V. KAVITHA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Tahsildar, Ibrahimpatnam Mandal, Ibrahimpatnam, Ranga Reddy District.
2. One CC to M/s. BHARADWAJ ASSOCIATES, Advocate [OPUC]
3. Two CCs to Mr. MOHAMMED IMRAN KHAN, Additional Advocate General, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies

MP
LS

HIGH COURT

DATED:27/09/2024



ORDER

WP.No.28079 of 2023

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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Copies
L.B
25/10/24