

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

**TUESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION NO: 38004 OF 2014

Between:

Singireddy Venkat Reddy,, S/o. Chilka Reddy, Aged about 44 years,
Occ - Agriculture, R/o. H-No.1-92, Bogaram Village, Keesara Mandal, Ranga
Reddy district.

AND

...PETITIONER

1. The State of Telangana, Revenue Department,, Rep. by its Principal Secretary, Secretariat, Hyderabad.
2. The Joint Collector-I, Ranga Reddy District, Ranga Reddy., -
3. The Special Grade Deputy Collector & Revenue Divisional, Officer, Ranga Reddy East Division, Ranga Reddy district.
4. The Thasildar, Keesara Mandal, Ranga Reddy District., -
5. Alwal Laxmaiah, S/o. Venkaiah, Aged about 65 years, R/o. Bogaram Village, Keesara Mandal, Ranga Reddy district.
6. Alwal Kashaiah,, S/o. Venkaiah, Aged about 54 years, R/o. Bogaram Village, Keesara Mandal, 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 direction, order or writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.2 in passing the order in Case No.D5/7625/2008, vide order dated 11.11.2014, allowing the revision petition filed by the Respondent Nos.5and6 and setting aside the order passed by the 3rd Respondent in File No.A2/1608/1999, dated 18.4.2006, as well as the order passed

by the Respondent No.4 in file No.B/2303/1996, dated 26.10.1996, as arbitrary, illegal, contrary to settled principles of law and also contrary to A.P. Rights in Land and Pattedar Pass Books Act, 1971 and the Rules made there under, as applicable to the State of Telangana, and as also being in violation of Article 14 and 300-A of the Constitution of India, and consequently set aside the order dated 11.11.2014 in Case No.D5/7625/2008 passed by the Respondent No.2.

I.A. NO: 1 OF 2014(WPMP. NO: 47544 OF 2014)

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 suspend the order passed by the Respondent No.2, vide Case No. D5/7625/2008, dated 11.11.2014, pending disposal of the above writ petition.

I.A. NO: 1 OF 2015(WPMP. NO: 1376 OF 2015)

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 extend the interim orders dated 10.12.2014 passed in WP.No.38004 of 2014 until further Orders.

Counsel for the Petitioner: SRI GADDAM SRINIVAS

Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE (TG)
Counsel for the Respondent Nos.5 and 6:----

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**
THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Date : 23-06-2026

WRIT PETITION No.38004 of 2014

Between :

Singireddy Venkat Reddy.

.. Petitioner

AND

The State of Telangana and others.

.. Respondents

ORDER:

This writ petition is filed aggrieved by the order dated 11.11.2014 passed by the 2nd respondent in Case No.E5/7625/2008.

2. Learned counsel appearing for the petitioner submits that the petitioner's father purchased land admeasuring Ac.1.30 guntas in Sy.No.113, situated at Bogaram Village, Keesara Mandal, Ranga Reddy District, through an unregistered Sale Deed executed by Alwal Venkaiah, and since then, they have been in possession and enjoyment of the said property. The petitioner's father filed an application under the Record of Rights Act (ROR Act) seeking

regularization of the unregistered Sale Deed. The unofficial respondents filed their objections. After following the procedure contemplated under the ROR Act, Respondent No.4 regularized the unregistered Sale Deed. Aggrieved thereby, the unofficial respondents preferred an appeal before Respondent No.3, which was dismissed on 18.04.2006, granting liberty to the appellants therein to resolve their dispute before the competent Civil Court.

3. Learned counsel appearing for the petitioner further submits that, after a lapse of 2½ years, the unofficial respondents filed a revision petition before Respondent No.2 without filing any application seeking condonation of delay, contending that the subject land was ancestral property. Without properly verifying the material available on record, Respondent No.2 set aside the orders passed by Respondent Nos.3 and 4.

4. Learned counsel appearing for the petitioner further submits that the unofficial respondents did not file any document to establish that the subject property was ancestral

property and, therefore, failed to substantiate their claim in that regard.

5. Learned counsel appearing for the petitioner further submits that, in the impugned order, Respondent No.2 observed that Respondent No.4 had passed the order dated 26.10.1996 without issuing notice to the revision petitioners and without examining the witnesses. However, Respondent No.4 had, in fact, issued notices to the affected parties, namely, Respondent Nos.5 and 6, who filed their objections. Apart from that, Respondent No.4 had also examined the witnesses before passing the order. Therefore, Respondent No.2 ought to have dismissed the revision petition on the ground of limitation itself. Hence, it is prayed that this Hon'ble Court may be pleased to set aside the impugned order and allow the writ petition.

6. Learned counsel appearing for Respondent Nos.5 and 6 has filed a counter-affidavit stating that the father of Respondent Nos.5 and 6 was the absolute owner and possessor of land admeasuring Ac.1.11 guntas in Sy.No.113 of Bogaram Village. After his death, Respondent Nos.5 and 6,

being his legal heirs, have been in possession and enjoyment of the said land and have been cultivating the same without any interference.

7. Learned counsel appearing for Respondent Nos.5 and 6 further submits that the petitioner herein, who had no connection whatsoever with the said land, filed O.S. No.72 of 1983 before the Court of the District Munsiff, Medchal, Ranga Reddy District, seeking declaration of title and perpetual injunction in respect of Ac.1.30 guntas in Sy.No.113 and the said suit was dismissed by order dated 13.02.1992. The said judgment was not challenged on appeal and, therefore, attained finality. Consequently, the petitioner has no right, title, or interest in the suit land, having failed to establish title thereto.

8. Learned counsel appearing for respondent Nos.5 and 6 further submits that the petitioner, suppressing material facts, submitted an application before the Mandal Revenue Officer (MRO) seeking mutation under the provisions of the A.P. Rights in Land and Pattadar Pass Books Act, 1971. However, without issuing any notice to the respondents, the

MRO passed proceedings dated 12.02.1999 allowing the petitioner's claim for mutation. The said order was never communicated to the unofficial respondents and was passed behind their back.

9. Learned counsel appearing for respondent Nos.5 and 6 further submits that challenging the order dated 12.02.1999, the unofficial respondents filed an appeal before the RDO and the RDO dismissed the appeal. Aggrieved thereby, the unofficial respondents preferred a revision before the 2nd respondent, who upon due appreciation of the facts, evidence, and material available on record, set aside the orders passed by the RDO as well as the MRO on the ground that they were devoid of merit and contrary to the provisions of Section 5-A of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 and Rule 22 of the Rules, 1989 framed thereunder and consequently, allowed the revision.

10. Learned counsel appearing for respondent Nos.5 and 6 further submits that the 2nd respondent passed a well-reasoned order after duly considering the material on record and the applicable legal provisions. Therefore, the said order

is legal, valid, and justified and does not warrant any interference by this Court. Therefore, the writ petition is devoid of merit and liable to be dismissed.

11. Heard both sides and perused the record.

12. In the present case, the 4th respondent passed the order dated 26.10.1996 by observing as follows :-

“Notices in Form No.11 and 12 have been issued to the concerned as required under the Act. In response to the notices issued Sri Alwala Laxmaiah and Alwala Kasaiah have filed an objection petition stating that after the death of their father the unregistered document stated to be executed by his father Late. Sri. A. Venkaiah is created by Sri. S. Chilkareddy with forged signature, and they never sold the land to the petitioner, but his father given to the petitioner's father on lease for grazing purpose and requested not to regularise the above document.

On the request of the Respondents a chance of hearing was given to both the parties. Case heard on 7-9-96 and 26-10-96. Heard the arguments of both the parties and perused the revenue records. As per revenue records, petitioner's name was recorded as occupant over the Sy.No.113 ext. Ac 1-30 gts, since the date of purchase. The Respondents failed to prove the averments made in their objection petition and they could not convince the court how the petitioner came into position of land.

In view of the above, I come to conclusion that the document executed by late A.Venkaiah is genuine. As such I order for regularization of unregistered document executed by

late Sri.A. Venkaiah in favour of S. Chilka Reddy, Under Section 5-A of the Act."

13. Thereafter, the 4th respondent passed an order dated 12.02.1999 mutating the name of the petitioner and his father in the revenue records in respect of the land in question. Aggrieved by the same, the unofficial respondents filed an appeal before the 3rd respondent, and the same was dismissed on 18.04.2006 by observing as follows :-

"After hearing the arguments of the appellant and perusal of counter affidavit filed by the respondents the court doth the order as under.

The main issue involved in the case is validity of sale transaction which took place between father of appellants and respondents on 11-5-74. Another issue in possession of the suit land. The appellants and the respondents stating that the land is in their possession. According to the revenue records the land is in the possession of respondents and the civil suit filed by them against the appellants was dismissed in default. Either this court or the lower court is not the proper forum to test the validity of the sale transaction which took place on 11-5-74. According to sub-section (2) of Section 8 of A.P ROR in Land and Pattadar Pass Books Act 1971, if any person is aggrieved as to any right of which he is in possession by an entry made in any record of right he may institute a suit against any person denying or interested to deny his title to such right for declaration of his right under Chapter (6) of the specific relief Act 1963.

In view of the legal position noted above the appeal is dismissed with an advise to the appellants to settle their case in civil court."

14. Aggrieved by the same, respondent Nos.5 and 6 filed a revision before the 2nd respondent, and the same was allowed on 11.11.2014 by observing as follows :-

The RDO ought to have seen that the above provision of Sec.8 (2) applies to the respondents before the Appellate Authority. In the impugned order the RDO himself held that according to revenue records the land is in possession of the respondents and the civil suit filed by them against the appellants was dismissed in default. So in accordance with the above provisions, the appellate authority should have advised the respondents therein to approach civil court and settle their case as the names of the respondents are recorded in revenue records in possession column of the pahani and the appellants are denying it. Already the respondents had filed a suit OS No.72/88 before the Dist. Munsif, Medchal against the appellants and the same was dismissed. Taking all the above things into consideration it was for the appellate authority to set aside the orders of the MRO, Keesara passed in file No.B/2303/1996, dated: 12.02.1999 in which the alleged unregistered transaction sale basing on a receipt dated: 11.05.1974 was regularized for an extent of Ac.1.30gts in Sy.No.113 where as the said receipt says the extent as Ac.2.00 gts.

In the light of above observations I do not hesitate to set aside the impugned order passed by the RDO, R.R.East Division in file No.A2/1608/1999, dated: 18.04.2006 as well as

the orders of the MRO Keesara passed in file No.B/2303/96, dated: 12.02.1999 being devoid of merits contrary to the provisions made U/S.5-A of the A.P. Rights in Land and Pattedar Pass Books Act, 1971 and Rule-22 of the Rules, 1989 framed therewith. In the result the revision is allowed.

15. Section 5-A of the ROR Act reads as follows :-

1) Notwithstanding anything contained in this Act, the Transfer of Property Act. 1882, the Registration Act, 1908 or any other law for the time being in force, [whereas person is an occupant] by virtue of an alienation or transfer made or effected otherwise than by registered document, the alienee or the transferee may, within such period as may be prescribed, apply to the Mandal Revenue Officer for a certificate declaring that such alienation or transfer is valid.

2) On receipt of such application, the MRO shall, after making such enquiry as may be prescribed, require the alienee or the transferee to deposit in the office of the MRO an amount equal to the registration fees and the stamp duty that would have been payable had the alienation. or transfer be effected by a registered document in accordance with the provisions of the Registration Act, 1908, as fixed by the registering officer on a reference made to him by the MRO on the basis of the value of the property arrived at in such manner as may be prescribed.

16. In the instant case, the petitioner filed an application under Section 5-A of the ROR Act before the 4th respondent, stating that he had purchased the land in question and requesting regularization of the sale transaction dated

11.05.1974, which took place between respondent No.2 and the father of the appellants. Pursuant thereto, the 4th respondent conducted an enquiry into the matter and issued certificates in Forms 13-B and 13-C in favour of the petitioner vide proceedings dated 12.02.1999. Aggrieved by the same, the unofficial respondents preferred an appeal before the appellate authority, which dismissed the appeal with an observation that the parties should work out their remedies before the competent Civil Court.

17. After dismissal of the appeal, the respondent Nos.5 and 6 neither approached the Civil Court nor closed the litigation. Instead, after waiting for about two and a half years, they filed a revision petition before the 2nd respondent. In the revision proceedings, based solely on the averments made by the revision petitioners, the 2nd respondent allowed the revision setting aside the orders that had been passed in favour of the petitioner.

18. Once concurrent findings were recorded by both the respondent authorities, the revisional authority ought to have advised the parties to approach the competent Civil Court.

Instead, without doing so, it simply set aside the orders passed by respondent Nos.3 and 4.

19. The main contention of the unofficial respondents 5 and 6 is that the subject land was ancestral property. The unofficial respondents did not file any document to establish that the subject property was ancestral property and, therefore, failed to substantiate their claim in that regard.

20. The 4th respondent afforded opportunities to the unofficial respondents twice to substantiate their claim that the property is ancestral property. However, on both occasions, they failed to produce any evidence in support of their contention. Furthermore, the revenue records disclose that the petitioner's name has been recorded as the occupant of an extent of Ac.1.30 gts. in Sy.No.113, since the date of purchase. According to the respondents, the entire transaction and the revenue records are fabricated and created documents. If that is so, the unofficial respondents ought to have approached the competent Civil Court and sought appropriate relief against the petitioner herein.

21. In the present case, on 10.12.2014, this Court while issuing notice before admission granted status-quo obtaining as on that day with regard to possession of the land in dispute be maintained by both the parties till six weeks and the same was not extended from time to time.

22. In view of the foregoing discussion, this writ petition is disposed of by setting aside the impugned order passed by the 2nd respondent. The parties are at liberty to seek appropriate relief with regard to the entries in the revenue records before the competent Civil Court. It is made clear that, in the event the parties approach the trial Court, the trial court shall entertain the matter without raising any objection regarding delay. No costs.

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

//TRUE COPY//

SD/- A.H.S.GOWRI SHANKAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, The State of Telangana, Revenue Department,, Secretariat, Hyderabad.
2. The Joint Collector-I, Ranga Reddy District, Ranga Reddy., -
3. The Special Grade Deputy Collector & Revenue Divisional, Officer, Ranga Reddy East Division, Ranga Reddy district.
4. The Thasildar, Keesara Mandal, Ranga Reddy District.
5. One CC to Sri Gaddam Srinivas, Advocate [OPUC]
6. Two CCs to the GP for Revenue, High Court for the State of Telangana, at Hyderabad[OUT]

7. One CC to P Sridhar Reddy, Advocate(OPUC)
8. One CC to K Krishna Reddy, Advocate(OPUC)
9. Two CD Copies

TJ

TKS

A handwritten signature in black ink, appearing to be 'Bj' with a stylized flourish at the end.

HIGH COURT

CC TODAY

DATED: 23/06/2026

ORDER

WP.No.38004 of 2014



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑫
01/07/26
KPS