[3488]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

<u>WRIT APPEAL NO: 120 OF 2026</u>

Writ Appeal under clause 15 of the Letters Patent Appeal preferred against the order dated 04/12/2025 in W.P.No. 26307 of 2023 on the file of the High Court.

Between:

Bathini Padma, W/o Bathini Ravi Aged 43 years, Occ- House Hold, R/o Kothagattu village, Shankarapatnam Mandal, Karimnagar District,

...APPELLANT

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Revenue, T.S. Secretariat, Hyderabad.
2. The District Collector, Karimnagar District.
3. The Revenue Divisional Officer, Karimnagar, Karimnagar District.
4. The Tahasildar, Shankarapatnam Mandal, Karimnagar District.

...RESPONDENTS

<u>I.A. NO: 1 OF 2026</u>

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 suspend the order dated 04.12.2025 passed in W.P.No.26307 of 2023 of this Hon'ble Court, pending disposal of the main Writ Appeal and may pass

**Counsel for the Appellant: SRI. MAHADEV ANYARAMBHATLA
Counsel for the Respondents: SRI MURALIDHAR REDDY KATRAM,
GP FOR REVENUE**

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.120 of 2026

DATE: 04.08.2026

Between:

Bathini Padma **....Appellant**

And

The State of Telangana, rep. by
its Principal Secretary, Revenue
Department and 3 others

....Respondents

JUDGMENT

Heard Sri Mahadev Anyarambhatla, learned counsel for the appellant and Sri Muralidhar Reddy Katram, learned Government Pleader for Revenue appearing for the respondents and perused the record.

2. This writ appeal is preferred under Clause 15 of the Letters Patent, against the order dated 04.12.2025 passed by the learned Single Judge in W.P.No.26307 of 2023. By the said order, the learned Single Judge dismissed the writ petition filed by the appellant herein, which was filed challenging the rejection of the appellant's application for correction of land records in the Dharani Portal.

Factual matrix

3. The appellant claims to be the absolute owner and possessor of agricultural land admeasuring Ac.0-19 Gts. in Sy.No.240 and Ac.3-32 Gts. in Sy.No.241, situated at Kothagattu Village, Shankarapatnam Mandal, Karimnagar District (hereinafter referred to as "the subject land").

4. The appellant purchased the subject land under two registered sale deeds bearing Document Nos.329 and 330 of 2000 from the original owners, who were reflected as pattadars in the revenue records. Pursuant to the said purchases, the subject land was mutated in the name of the appellant, a pattadar passbook was issued in her favour, and she claims to have remained in continuous possession thereof.

5. Upon the introduction of the Dharani Portal, a new pattadar passbook was issued to the appellant. To appellant's surprise, the subject land was shown as "Laoni Patta" (Assigned Land). Aggrieved thereby, the appellant submitted a grievance application before the revenue authorities seeking correction of the entries in the Dharani Portal by requesting change of land classification, land nature, land type and the manner in which the land was acquired.

6. The 2nd respondent–District Collector, Karimnagar, *vide* Proceedings No.D1/609/2021-153967, dated December, 2022, rejected the appellant's grievance application on the basis of the reports submitted by the subordinate revenue authorities, holding that the subject land was an assigned land/Kharij Khata, and consequently declined the request for correction of the entries in the Dharani Portal.

7. Aggrieved by the said proceedings, the appellant filed W.P.No.26307 of 2023 challenging the rejection order. The learned Single Judge, by order dated 04.12.2025, dismissed the writ petition, observing that the subject lands are recorded in the revenue records as Government assigned lands (Laoni Patta/Kharij Khata) and that the appellant's claim rests solely upon registered sale deeds, which do not confer valid title over assigned lands. The learned Single Judge further held that the controversy involved disputed questions of fact incapable of adjudication by the writ Court and thus warranted no interference under Article 226 of the Constitution of India.

8. Aggrieved by the order dated 04.12.2025 passed in W.P.No.26307 of 2023, the appellant has preferred the present Writ Appeal.

Submissions on behalf of the appellant

9. Learned counsel appearing for the appellant, assailed the impugned order and has advanced the following submissions:

i) That it is a well-settled principle of law that entries in the revenue records cannot be altered unilaterally without issuing prior notice to the person whose name is reflected therein. The appellant's name admittedly stood recorded as pattadar/owner in respect of the subject lands and, notwithstanding the same, the entries in the Dharani Portal were altered by classifying the lands as Laoni Patta/Assigned Land (Kharij Khata) without affording any notice or opportunity of hearing to the appellant.

ii) That the specific plea raised in paragraph 4 of the affidavit filed in support of the writ petition, namely that no notice had been issued to the appellant prior to effecting the change in the revenue entries, was not specifically denied by the respondents in the counter affidavit. It was, therefore, contended that the impugned proceedings are liable to be set aside on this ground alone.

iii) That the learned Single Judge erred in proceeding on the premise that the lands were shown as Kharij Khata in the revenue records of the year 1954-55 and, therefore, constituted Government land. Placing reliance upon judgments of this Court, including the judgment relied upon before the learned Single Judge in W.P.No.15955 of 2019, learned counsel submitted that the expression "Kharij Khata" merely denotes non-payment of land revenue and does not establish that the land belongs to the Government or is assigned land.

iv) That the respondents failed to produce any proceedings or contemporaneous record demonstrating that the subject lands were assigned lands or Laoni Patta lands. In the absence of any such documentary evidence, the learned Single Judge ought not to have accepted the pleadings of the respondents as conclusive. It was contended that the burden squarely lies upon the Government, being the custodian of the original revenue records, to establish by producing the relevant assignment proceedings that the lands were in fact assigned, which the Government failed to discharge.

v) That the appellant has been in continuous possession and enjoyment of the subject lands since their purchase in the year 2000. The revenue records consistently reflected the names of the pattadars over several decades, and it was only upon the implementation of the Dharani Portal that the classification of the lands was altered unilaterally without issuing any notice to the appellant.

vi) That during the course of hearing, this Court specifically directed the learned Government Pleader to produce the records substantiating the plea that the subject lands were assigned lands. Although adequate opportunity was granted by adjourning the matters to 10.02.2026, 18.02.2026, 09.07.2026 and 23.07.2026, the respondents failed to produce any assignment order, assignment register extract or any other contemporaneous record evidencing assignment of the subject lands in favour of any person. Consequently, no documentary material has been placed before this Court to substantiate the plea that the lands are assigned lands.

Submissions on behalf of the respondents

10. Learned Government Pleader for revenue appearing for the respondents advanced the following submissions:

i) That, as per the basic revenue records, particularly the Sethwar, the subject lands are classified as Kharij Khata, signifying that the same are Government lands. Further, the Sethwar of the village records Sy.Nos.240 and 241 as Government lands which were subsequently assigned for agricultural purposes and, consequently, classified as Laoni Patta lands. On that basis, the appellant's application seeking correction of the Dharani entries was rightly rejected.

ii) That although the names of private individuals came to be reflected in the pahanies from the year 1966-67 onwards without any supporting proceedings, the foundational revenue record, namely, the Sethwar, consistently classified the lands as Kharij Khata, thereby evidencing their Government land character.

iii) That the appellant's claim is founded solely upon registered sale deeds, which cannot confer any valid title in respect of assigned lands. According to the respondents, any transfer of assigned land is void in law and, therefore, the registered sale deeds relied upon by the appellant do not create or convey or vest any legally enforceable title in the appellant.

iv) That considering the controversy involved disputed questions of fact relating to the nature and title of the subject lands, the learned Single Judge rightly declined to exercise jurisdiction under Article 226 of the Constitution of India and dismissed the writ petition.

11. We have taken note of the respective contentions urged and perused the material on record.

Consideration by this Court

12. In the present case, the principal question that arises for consideration is whether the proceedings of the District Collector rejecting the appellant's request for correction of the entries in the

Dharani Portal are sustainable in law and whether the learned Single Judge was justified in declining to interfere with the same ?

13. It is not in dispute that the appellant claims title to the subject lands under two registered sale deeds executed in the year 2000. Pursuant thereto, the lands were mutated in appellant's name and pattadar passbooks came to be issued in her favour. The grievance of the appellant is that upon implementation of the Dharani Portal, the lands came to be classified as "Laoni Patta/Assigned Land", which was effected without prior notice or opportunity of hearing. However, the respondents seek to justify the impugned action by contending that the subject lands are reflected as "Kharij Khata" in the Sethwar and, therefore, constitute Government assigned lands.

14. However, upon examination of the record, this Court finds the following aspects which merit consideration:

i) The appellant has specifically pleaded that no notice or opportunity of hearing was afforded before the classification of the subject lands was altered in the Dharani Portal. Significantly, this specific assertion has not been effectively controverted by the respondents. A change in the revenue entries affecting the character of the land and the rights of the recorded pattadar cannot ordinarily be effected without complying with the principles of natural justice. The requirement of affording a reasonable opportunity of hearing assumes greater significance when such alteration entails adverse civil consequences.

ii) Although the respondents consistently assert that the subject lands are assigned lands, no assignment order, assignment register or any contemporaneous record evidencing such assignment has been produced either before the learned Single Judge or before this Court, despite repeated opportunities having been granted during the hearing of the present appeal. When the Government seeks to assert that lands standing in the name of a private pattadar are assigned lands, the foundational records supporting such assertion are expected to be produced by the authorities, who are the custodians thereof. Mere reliance upon an entry in the Sethwar, without any supporting documentary material, cannot conclusively establish the plea that the lands are assigned lands.

iii) The appellant has relied upon judgments of this Court to contend that an entry describing the land as "Kharij Khata" does not establish that the land is Government land or assigned land. Whether such an entry is sufficient to establish the Government's claim necessarily depends upon the supporting revenue records and other contemporaneous material. In the present case, apart from the Sethwar entry, no independent material evidencing assignment has been produced.

iv) It is also not in dispute that subsequent to the appellant's purchase under the registered sale deeds, the subject lands were mutated in her name and pattadar passbooks were issued. The appellant also relies upon the subsequent revenue entries reflecting the names of private pattadars. While such entries do not, by themselves, confer title, they constitute relevant material which could not have been displaced by a unilateral alteration of the land classification without adherence to due process of law.

15. Moreover, the learned Government Pleader has not been able to point out any provision under the Telangana Rights in Land and Pattadar Pass Books Act, 2020, or the Rules framed thereunder, authorising alteration of the nature or classification of land in the revenue records, to the detriment of the recorded pattadar, without complying with the principles of natural justice.

16. Further, this Court is of the considered view that the learned Single Judge ought to have considered the aspect of violation of natural justice and the absence of documentary evidence to prove that the lands were assigned lands. However, the learned Single

Judge dismissed the writ petition merely based on the submissions of the learned Assistant Government Pleader, without requiring the respondents to produce the documents in support of the averments including the documents showing that the lands were assigned lands.

Conclusion

17. For the foregoing reasons, this Court is of the considered view that the order passed by the learned Single Judge cannot be sustained in law and warrants interference. The impugned proceedings of the District Collector are also vitiated by procedural irregularities and lack of supporting documentary evidence. However, this Court is not inclined to adjudicate upon the disputed question of fact as to whether the subject lands are assigned lands or patta lands, as such determination necessarily requires examination of the relevant documentary evidence.

18. Accordingly, the Writ Appeal is allowed. The order dated 04.12.2025 passed by the learned Single Judge in W.P.No.26307 of 2023 is hereby set aside. The impugned rejection order passed by the 2^{nd} respondent-District Collector, Karimnagar *vide* proceedings No.D1/609/2021-153967, dated December, 2022, is also set aside. The matter is remanded to the 2^{nd} respondent-District Collector, Karimnagar, for fresh adjudication of the appellant's grievance application in accordance with law. The 2nd respondent shall issue a notice to the appellant and afford her an opportunity of hearing and shall pass a reasoned order within a period of eight (8) weeks from the date of receipt of a copy of this judgment.

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

SD/-K.SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, T.S. Secretariat, Hyderabad.
2. The District Collector, Karimnagar District.
3. The Revenue Divisional Officer, Karimnagar, Karimnagar District.
4. The Tahasildar, Shankarapatnam Mandal, Karimnagar District.
5. One CC to SRI. MAHADEV ANYARAMBHATLA Advocate [OPUC]
6. Two CCs to GP FOR REVENUE High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

BM

HIGH COURT

DATED: 04/08/2026

JUDGMENT
WA.No.120 of 2026

HIGH COURT FOR THE STATE OF TELANGANA
17 AUG 2026
DESPATCHED

ALLOWING THE WRIT APPEAL WITHOUT COSTS

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14/8/26