

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.21543 of 2015

ORDER:

Heard.

The petitioner complains that her name was wrongly removed from the revenue record i.e., pahanies for the year 2014-15 and seeks a direction as prayed for in this writ petition.

The affidavit of the petitioner and the material papers filed along with petition show that the petitioner gave a legal notice to the 5th respondent on 30-10-2014 calling upon the 5th respondent to restore her name in the pahani patrika in respect of the land in question. The said notice was further followed up by filing a suit in O.S.No.69 of 2014 before the Junior Civil Judge, Medak, seeking perpetual injunction making self same allegations as made in the present writ petition. It is evident that the 5th respondent has appeared in the said suit and filed his counter affidavit as well as written statement. The said entire issue, therefore, is before the competent civil court and as such, the petitioner cannot be allowed to approach this Court by this parallel proceedings.

Learned counsel for the petitioner states that the suit is only seeking perpetual injunction and the relief regarding correction of entry in the revenue record is not part of the relief claimed in the suit.

Even if that be so, it is for the petitioner to approach the competent authority for correction of entry in the revenue record, if her name is deleted wrongfully. Without approaching the competent authority, the petitioner has straight away approached this Court by way of present writ petition.

Hence, with liberty to the petitioner to either seek adjudication of the issue before the civil court in the pending suit or to approach the competent authority for appropriate relief, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any pending, shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 13-07-2015

Prv

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