

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No.5585 OF 2015

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed to declare the action of the respondents in not considering the application, dated 24.01.2015 of the petitioner by not rectifying the revenue records and not passing orders on the said application, as arbitrary and illegal.

2. The petitioner alleges that he is absolute owner and possessor of land admeasuring Acs.4-20 guntas in survey No.42/20 situated at Naspur Village, Mancherial Mandal, Adilabad District. He also alleges that his name was reflected in pahanies till date. However, in the year 2001, in the possession column, the name of TNGOs was reflected. On noticing the same, the petitioner approached respondent No.4 seeking correction of the same, but respondent No.4 has not taken any action. Hence, the Writ Petition.

3. Learned counsel for the petitioner submits that the land was neither acquired by the Government nor they made any alienation in favour of third parties; that even on earlier occasion, the petitioner made representations seeking correction of the name, but no action has been taken by the respondents.

4. A perusal of the material filed along with the affidavit reveals that the petitioner had made a representation on 24.01.2015 to the Tahsildar, Mancherial, Adilabad District. Considering the fact that the petitioner is absolute owner and possessor of the land in question and his name was reflected in the pahanies till date, it is only in the year 2001 the third party viz., TNGOs' name is being reflected, a remedy is available to the petitioner to seek information in relation to changes made in the revenue records and thereafter, seek remedy as available

under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act') by filing revision under Section 9 of the Act.

5. In that view of the matter, no relief as such can be granted in this Writ Petition directly. In the facts of the case, liberty is given to the petitioner to approach the revenue authorities to seek information with respect to as to how and when the name of TNGOs came to be substituted in the place of petitioner in the revenue records. As and when such information is sought, the same shall be furnished to the petitioner within a period of four (4) weeks from making such a requisition and thereafter, the petitioner shall avail the remedy available under the Act.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

MARCH 06, 2015
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WRIT PETITION No.5585 OF 2015

DATE: 06.03.2015

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