

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9841 of 2015

ORDER:

This writ petition is filed seeking writ of Mandamus declaring the inaction of 3rd respondent in implementing correction of entries in Sethwar and other related records with reference to Sy.No.106 corresponding to old Sy.Nos.167, 167/1 and 167/AA of Mubaraknagar village, Nizamabad mandal and district as required under Section 87 of A.P. (TA) L.R. Act, 1317 Fasli, excluding from the area of Sikam land in Sy.No.106 of the said village treating the same as private land belonging to the petitioner's family, as ordered by the 2nd respondent in proceedings No.F1/2590/2014, dated 22-12-2014, as bad, illegal and arbitrary.

2. The averments in the writ affidavit are to the effect that the grandfather of the petitioner herein viz., Hanuman Singh was the pattedar and absolute owner of land admeasuring Ac.2-00 gts., in old Sy.Nos.167/1 and 167/AA situated at Mubaraknagar village, Nizamabad mandal and District. All the revenue records, particularly kasra pahani, contains the name of Hanuman Singh against the land in old Sy.Nos.167/1 and 167/AA, evidencing their possession and enjoyment for several decades. However, without their knowledge, during the course of resurvey, new Sy.No.106 was allotted to old Sy.Nos.167/1 and 167/AA. Originally Sikam land was also situated in Sy.No.167 admeasuring Ac.12-10 gts., whereas the private land holding by their family was in old Sy.Nos.167/1 and 167/AA. Mistakenly the lands in all the said three survey numbers were mixed up and Sy.No.106 was allotted. Since then the father of the petitioner was making

representations and finally filed W.P.No.11176 of 2009 before this Court.

This Court was pleased to dispose of the said Writ Petition on 06-08-2008, with a direction to the 4th respondent to consider the representation made by the father of the petitioner viz., Dhanu Singh. After making several representations finally the petitioner filed a representation, dated 21-02-2012 before the 2nd respondent and also the District Collector, Nizamabad, requesting to correct the wrong entries in revenue records. The 2nd respondent was pleased to pass orders in proceedings No.F1/2590/2014, dated 22-12-2014, directing the 3rd respondent to take necessary action. Now, the grievance of the petitioner herein is that the 3rd respondent is not taking any action pursuant to the proceedings of the 2nd respondent. Hence, the writ petition.

3. Heard Sri V. Venugopala Rao, learned counsel for the petitioner and learned Government Pleader for Revenue.

4. Learned counsel for the petitioner submits that the grievance of the petitioner is that with respect to the entries in revenue records the 2nd respondent - Commissioner of Survey, Settlement and Land Records, Telangana, Hyderabad passed orders on 22-12-2014 directing correction of entries of Sethwar by deleting the area of Ac.2-00 gts., from 106 (new) correlating to 167/1 and 167/AA (old) and adding the same to the Khata of pattedar's heirs being the petitioner herein. Bringing the orders of the Commissioner, the petitioner submits that he addressed a letter to the Assistant Director of Survey and Land Records, Nizamabad on

31-12-2014 to take necessary action. In spite of the fact that the petitioner submitted his request on 31-12-2014 there is no further progress in the matter and prayed the Court to direct the 3rd respondent to take necessary action in terms of the order of the Commissioner, dated 22-12-2014.

5. As per the order placed on record, the 2nd respondent has directed the 3rd respondent to make necessary corrections in terms of the prayer of the petitioner as set out in the affidavit. Letter, dated 31-12-2014 filed by the petitioner is also on record.

6. Considering the nature of the relief, which has been sought by the petitioner, the third respondent shall act upon and pass necessary orders on the petitioner's representation, dated 31-12-2014 within a period of eight (8) weeks from today.

7. With the above direction, 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.

CHALLA KODANDA RAM, J

April 09, 2015

PN

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

-

-

-

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

WRIT PETITION No.9841 of 2015

April 09, 2015

PN