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THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM
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Writ Petition No.4733 of 2015
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ORDER:

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This writ petition is filed to issue a *Writ of Mandamus* declaring the impugned proceedings in Rc.C/104/2015, dated 12-01-2015, issued by the Revenue Divisional Officer, the 3rd respondent herein, directing the Tahsildar, Gampalagudem, the 4th respondent, to conduct enquiry in respect of the land of the petitioner to an extent of Ac.0-11 cents in Sy.No.204/3B situated at Mederu Village Gampalagudem Mandal of Krishna District; as illegal and arbitrary.

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The facts, in brief, are that the petitioner is the owner and possessor of the land to an extent of Ac.0.11 cents in Sy.No.204/3B, situated at Mederu Village, Gampalagudem Mandal of Krishna District, having purchased the same from Sri Barigela Ramaiah, S/o. Kotaiah through an unregistered agreement of sale dated 10-02-1982, and that adjacent to the said land, his son, Venu Babu is having agricultural land to an extent of Ac.4.12 cents, in Sy.No.186/2, and Ac.1.25 cents in Sy.No.204/1, respectively, and that the land of the petitioner, i.e. Ac.0.11 cents is being utilized as passage, to reach the land of his son. While so, in the adangal, the said land was included in favour of the 5th respondent.

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Heard the learned counsel for the petitioner and learned Government Pleader for Revenue.

The case of the petitioner is that the revenue records relating to the land of the petitioner were tampered with, by the then Tahsildar

by playing fraud, and made entries in favour of the 5th respondent. The petitioner made a specific complaint against the then Tahsildar, before the 3rd respondent on 20-12-2014, to conduct a detailed enquiry and to delete the wrong entries made in the revenue records. Strangely, the 3rd respondent directed the 4th respondent – Tahsildar himself, to conduct enquiry into the matter. The apprehension of the petitioner is that directing the Tahsildar, the one, against whom the complaint is made, to enquire into the matter would serve no purpose, and, in fact, it would prejudice to the interests of petitioner.

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When the matter came up for admission on 02-03-2015, the learned Government Pleader sought time to obtain instructions from the 3rd respondent, Revenue Divisional Officer. When the matter is called today, the learned counsel for the petitioner as well as the learned Government Pleader submit that the incumbent officer is no longer there, and a new person has taken charge. In that view of the matter, the learned counsel for the petitioner submits that the

3rd respondent may be directed to consider the specific objections raised by the petitioner, with respect to the omissions and commissions committed by the 4th respondent.

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Considering the limited prayer of the petitioner, the writ petition is disposed of, directing the 3rd respondent, Revenue Divisional Officer, to consider the objections raised by the petitioner in his letter/notice, dated 20-12-2014, and pass appropriate orders in accordance with law, as expeditiously as possible. Liberty is also given to the petitioner, if aggrieved, to question the revenue entries, by way of seeking rectification, by resorting to the provisions of the A.P. Rights in Land and Pattadar Passbooks Act, 1971.

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The miscellaneous petition filed in the writ petition shall also stand

disposed of. There shall be no order as to costs.

**CHALLA KODANDA RAM,
J.**

Dt.09-03-2015.

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