

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4361 OF 2015

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ORDER:

This Writ Petition is filed by the petitioner seeking to declare the action of 4th respondent-Tahsildar, Krosur Mandal, Guntur District, in not considering his representation dated 13.10.2014, seeking clarification and correction of the survey number with respect to the petitioner's land, an extent of Ac.0-96 cents, situated in Sy.No.136/3 as per his pass book and other survey numbers out of the land to an extent of Ac.2-74 cents situated at Pisapadu Village, Krosur Mandal, Guntur District, as illegal, arbitrary, unconstitutional and violative of Articles 14, 19, 21 and 300-A of the Constitution of India, and consequently direct the respondents to consider the representation of the petitioner to clarify the correct survey number to the petitioner's land admeasuring Ac.0-96 cents either as per issued Passbook (mentioned as Sy.No.136/3) or as per the Report of the Surveyor (mentioned as Sy.No.133/2) dated 06.10.2014 out of the land admeasuring Ac.2-74 cents situated at Pisapadu village, Krosur Mandal, Guntur District.

It is the case of the petitioner that he owned agricultural land admeasuring Ac.0-91 cents in Sy.No.133/2 situated in between the boundaries that East: Kancheti Sambasiva, South: Kancheti Ramesh Babu, West: Road, North: Jangili Yellaiah and he was issued pattadar passbook No.699014 by the previous officials mentioning the survey number of his land as Sy.No.136/3 and his name was mutated in the revenue records and accordingly he has been paying land cists to the land admeasuring Ac.2-74 cents in various survey numbers including the Sy.No.136/3 to an extent of Ac.0-96 cents mentioned in his pattadar passbook. He further submits that recently when he was making survey, the Surveyor has mentioned the Survey number as 133 for his land. Hence, he made a representation dated 13.10.2014 to the 4th respondent-Tahasildar, Krosur Mandal, to clarify and correct his survey number by verifying the records.

On the other hand, Sri S. Srinivasa Rao, learned Assistant Government

Pleader for Revenue submits that the Tahsildar-3rd respondent is not vested with any power to make any corrections with respect to the wrong entries made in revenue records. Even assuming that there are any inadvertent mistakes, the petitioner needs to approach the District Collector as per the provisions of Section 9 of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act') seeking correction of such entries and he alone is the competent authority to direct any entries to be modified in one way or the other.

A perusal of Sections 3 to 5 and 9 of the Act leave no manner of doubt that the Tahsildar is not vested with any powers to make corrections either *suo motu* or on an application except at the time of making entries for the first time in terms of the notification issued under Sections 3(1), 3(2) of the Act. Any corrections in relation to the entries could be made in the given circumstances satisfying Section 3(3) of the Act within one year. If the case requiring corrections of the revenue records beyond the time limit of one year, necessary orders can be passed only by the District Collector in exercise of the revisional powers and the Tahsildar is not vested with any such power. In that view of the matter, liberty is given to the petitioner to approach the 2nd respondent-District Collector, and submit an application ventilating his grievance and seek redress. On submission of such application, the 2nd respondent-District Collector shall dispose of the same within a period of six months.

With the above observation, the Writ Petition is disposed of at the admission stage. There shall be no order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date:24.02.2015

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