

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.37474 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to issue writ or direction preferably Writ of Mandamus declaring the inaction of the respondent Nos.2 and 3 in considering and disposing of representations dated 09-09-2016 and 20-10-2016 submitted by the petitioner for correction of entries in pahani at col. No.13 in respect of the land admeasuring Ac.0-31 gts., in Sy. No. 43/e situated at Mallemadugu(v) Khammam Urban(M) Khammam District as illegal, arbitrary, and violative of principles of natural justice and consequently direct the respondents to consider and dispose of the representations for correction of entries.”

3. The averments in the affidavit filed in support of the writ petition would show that originally great grandfather of the petitioner by name Podila Rangaiah was the pattadar and possessor of subject land. After his death, the grandfather of the petitioner by name Narsaiah and thereafter, the father of the petitioner by name late Venkateswarlu, and after his death, the petitioner being sole legal heir, succeeded to the property. It is the case of the petitioner

that though one Padigala Veeraiah is no way connected with the subject property, his name has been wrongly shown in pahanies. Hence, he is said to have made representations to the authorities concerned seeking correction of entries. But, so far no action has been taken.

4. Learned Government Pleader for Revenue would submit that even as per the representation of the petitioner, the name of Padigala Veeraiah was mentioned in the pahanies as enjoyer of subject land since 1999; and it is strange that only in the year 2016 the petitioner came to know about the alleged mistake.

5. At this stage, the learned counsel for the petitioner would submit that the Mandal Revenue Officer may be directed to consider the representations, dated 09.09.2016 and 20.10.2016 made by the petitioner for correction of entries and the petitioner may be permitted to lead evidence to show that he succeeded to the property and the said Veeraiah has nothing to do with the same.

6. Having regard to the facts and circumstances of the case and as there is a dispute between two private parties, it would be proper for the petitioner to approach the Civil Court and obtain a decree to the effect that he is successor-in-interest of Podili Rangaiah and then, make an application for correction of the entries in the revenue records.

7. With the above direction, the Writ Petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:04.11.2016
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