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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.38181 of 2012

ORDER ::

This writ petition is filed seeking to issue an order one in the nature of writ of mandamus declaring the action of the 1st respondent—Revenue Divisional Officer, Mahabubnagar Division, Mahabubnagar District, in ordering for correction of the entries in ROR in respect of the lands in Sy. No.314, admeasuring Ac.5-15 guntas at Peddarevalli village, Balanagar Mandal, Mahabubnagar District and the consequential action of the 2nd respondent in issuing notice date 15-11-2012 seeking to implement the order dated 16-12-2011 passed by the 1st respondent.

2. The case of the petitioner is that her husband and her husband's brothers owned lands in Sy. No.314, admeasuring Ac.5-15 guntas at Peddarevalli village, Balanagar Mandal, Mahabubnagar District. That after the death of her husband and his brothers, the 3rd respondent filed appeal before the 1st respondent seeking for correction of the entries in respect of the above said lands on the ground that the names of the

petitioner's husband and his brothers were wrongly recorded in the revenue records. By the impugned order, 1st respondent allowed the appeal filed by the 3rd respondent. The case of the petitioner is that no notice whatsoever was given to her and the LRs of other original owners. It is stated that by the time of filing appeal by the 3rd respondent before the 1st respondent for correcting the entries in the revenue records, none of the original owners were alive, and the 1st respondent has passed the impugned order against dead persons. Assailing the said order, the present writ petition is filed.

3. Heard the learned counsel for the petitioner and the learned Asst. Government Pleader for respondents 1 and 2.

4. Learned Asst. Government Pleader for Revenue submitted that the petitioner has filed a revision before the Joint Collector, Mahabubnagar District, against the impugned order dated 16-12-2011 passed by the 1st respondent-RDO, Mahabubnagar, and the same is pending.

5. Inasmuch as the petitioner has already availed the alternative remedy of filing statutory revision before the Joint Collector, Mahabubnagar District, and the same is pending, there cannot not be parallel adjudication of the same subject

matter. In the circumstances, without going into the merits of the matter, the writ petition is disposed of directing the Joint Collector, Mahabubnagar District, to dispose of the revision filed by the petitioner, in accordance with law, expeditiously, in any case not later than two months from the date of receipt of a copy of this order, after issuing notice to the affected parties and after affording opportunity of being heard in the matter to them. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. No order as to costs.

A. RAJASHEKER REDDY, J

Dated: 8th March, 2016
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Dated: 8.3.2016

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