

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.37138 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is preferred by the petitioners seeking to declare the action of the 4th respondent in reducing the extent of Ac.0.89 cents out of Acs.3.10 cents from the share of 2nd petitioner in the revenue records and including the name of the 5th respondent as illegal and arbitrary.

Heard the learned counsel for the petitioners as well as the learned Assistant Government Pleader for Revenue (AP) for respondents 1 and 4. With their consent, the writ petition is disposed of at the stage of admission itself. There is no necessity to put respondent No.5 on notice since this Court is not venturing to adjudicate the case on merits.

Though various grounds are raised, the learned counsel for the petitioners mainly submits that pursuant to the legal notice issued, the Revenue Divisional Officer vide letter dated 16.07.2016 and the District Collector vide letter dated 17.07.2016 have directed the Tahasildar to conduct an enquiry with regard to entries made, whereby the extent of land was reduced.

The same is not seriously disputed by the learned AGP. However, he would submit that since there is no reference as to when the entries were altered, the Tahasildar may be directed to conclude the enquiry at the earliest.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the 4th respondent-Tahasildar to conduct an enquiry as directed by respondents 2 and 3 and send the report as early as possible preferably within a period of three months from the date of receipt of a copy of this order. It is needless to mention that before sending the report, the 4th respondent shall hear the petitioner as well as the aggrieved persons, if any, including the 5th respondent herein and pass orders in accordance with law.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

Date: 01.11.2016

Note : Issue C.C. in one week.
B/o.
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C. PRAVEEN KUMAR, J

