

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.29954 OF 2017

ORDER:

1. From the reading of the averments made in the affidavit filed in support of the Writ Petition, it appears that the petitioners claim to an extent of Ac.0.18 gts in Survey Nos.306/A to 306/E belonging to their family and they are entitled to mutation of their names in the revenue records and enjoyment of the subject property. Learned counsel for the petitioners also states that the petitioners are in possession of the land to that extent in the said survey numbers. However, in the revenue records, names of different persons were entered and while entering the names of different persons, no notice or opportunity was afforded to the petitioners and therefore, the entire action is illegal. Petitioners, therefore, pray to direct the respondent-authorities to mutate the names of the petitioners 1 and 2 in the revenue records in respect of land in Survey No.306/A to an extent of Ac.0.03 gts, in Survey No.306/AA to an extent of Ac.0.2 ½ gts and in Survey No.306/EE to an extent of Ac.0.2 ½ gts.

2. The material on record would disclose that claims and counter claims were made and on conducting field survey, the revenue authorities found that there is a serious dispute in regard to the title of the properties claimed by the petitioners. Petitioners were accordingly informed by the Tahsildar vide his memo in Lr.No.B/623/16 dated 25.11.2016 that their request cannot be acceded to and that they have to work out their remedies as available in civil law.

3. This being so and since a decision is already taken by the revenue authorities, no direction as sought for by the petitioner can be granted. It cannot be said that the decision of the revenue authorities informing the petitioners that there is a serious dispute over the title of the subject property and that they must avail the civil law remedy is erroneous.

4. Leaving it open to the petitioners to work out their remedies as available in law, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

6th September 2017
RRB



(P.NAVEEN RAO, J)