

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 17230 of 2008

ORDER:

Heard both sides.

The present writ petition came to be filed seeking issuance of writ of certiorari calling for the records pertaining to the orders of the second respondent dated 20.05.2008 in case No.D5/ 2084/ 2007 and quash the same and consequently direct respondent Nos.2 to 4 to implement the order of the third respondent in proceedings dated 08.02.2006.

The averments in the writ affidavit would show that the husband of the first petitioner (died) along with his father and fifth respondent vide unregistered sale deed dated 14.11.1976, obtained lands in Survey Nos.525, 533, 534, 537 and 540 admeasuring Acs.40.28 guntas of Maisammagudam, H/o.Gundlapochampally Village, Medchal Mandal, Ranga Reddy District from one Sri Maddula Rajolla Chintala and Sunkara families and the revenue authorities have also shown their names as possessors in the pahanis and adangals from 1979 to 1980 onwards. Thereafter, in the year 1989, the first petitioner's husband along with fifth respondent filed an application seeking validation of the unregistered sale deed dated 14.11.1976. It is stated that the husband of the petitioner died on 22.12.2005. The fourth respondent issued notices to the original owners and subsequently

proceedings were issued validating the unregistered sale deed and after following the procedure, the fourth respondent issued certificate in form No.13(c) and mutated the name of the first petitioner in the revenue records. The name of the first petitioner was mutated in respect of the land admeasuring Acs.3.00 guntas in Survey No.533/ 2 and Acs.8.13 guntas in Survey No.537 in the year 1998. While things stood thus, the original owners filed an application before the fourth respondent seeking correction of entries in the revenue records alleging that their names were removed without their knowledge. After conducting due enquiry, the said application was dismissed. Aggrieved thereby, the said Maddula family preferred an appeal before the third respondent by impleading the first petitioner, fifth respondent and one Dasari Satamma. But subsequently, the said appellants filed a withdrawal memo, which itself indicates that the orders passed in favour of the first petitioner has become final. It is stated that due to inadvertence, the revenue authorities removed the name of the first petitioner from the revenue records. On coming to know about the same, the first petitioner made an application before the fourth respondent, seeking to rectify the mistake and incorporate the name of the petitioner in respect of the lands in survey Nos.533/ 2 and 537. The fourth respondent has forwarded the report to the third respondent, seeking permission to rectify the original entries made in the revenue records. The third respondent vide proceedings dated 08.02.2006, directed the fourth respondent to enquire into the

matter and pass appropriate orders. Against the orders of the third respondent, fifth respondent preferred a revision petition under Section 9 of A.P. Rights in Land and Pattadar Passbooks Act, 1971. It is stated that the second respondent while disposing of the revision, directed the fourth respondent to implement the earlier orders issued in B/ 2740/ 1989, dated 25.03.1998 and A2/ 560/ 2005, dated 11.03.2006. Contending that the order passed by the second respondent is contrary to law, the present writ petition is filed.

Though various grounds are raised in the writ petition, learned counsel appearing on behalf of all petitioners including the implead petitioner, would submit that the petitioners have no objection for continuing the interim order of *status quo*, till the disposal of O.S.No.17 of 2009 on the file of District Judge, Panga Reddy District filed by the fifth respondent.

Sri G.Srinivas Rao, learned counsel appearing for unofficial respondent would submit that subsequent to passing of *status quo* order, some interpolations are said to have been made in the records.

Learned counsel for all the parties agree that names existing as on the date of passing of the interim order of *status quo*, may be continued till the disposal of the suit.

Without going into merits of the case and having regard to the statements made across the Bar, the writ petition is disposed

of with a direction to maintain *status-quo* existing as on the date of the interim order dated 11.08.2008 with regard to the entries made in the revenue records till the disposal of O.S.No.17 of 2009 on the file of District Judge, Ranga Reddy District, which in any event shall be disposed of within a period of three months from the date of receipt of a copy of the order, if not already disposed of. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions pending if any in this Writ Petition, shall stand closed.

16.08.2017
vnb



C. PRAVEEN KUMAR, J