

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.28879 of 2017

Dated:29.08.2017

Between:

Bandari Ramesh, S/o. Late Mallaiah, Aged 53 years,
Occu: Business, R/o. Flat No.705, Amber, My Home
Jewel, Madinaguda, Chandanagar, Hyderabad,
State of Telangana.

...Petitioner

AND

The State of Telangana, represented by its Principal
Secretary, Revenue Department, Secretariat,
Hyderabad and others.

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.28879 of 2017

ORDER:

In this writ petition grievance of the petitioner is that in the revenue records name of respondent No.7 was mutated in respect of the properties belonging to the petitioner without following the due procedure and therefore, such mutation is illegal. Petitioner made a representation, dated 13.07.2017, to the Tahsildar, Sadashivapeta Mandal, by marking a copy to the District Collector, Sangareddy District, to review the earlier decision. Alleging inaction of the Tahsildar and the District Collector, this Writ Petition is filed.

2. Facts briefly noted above disclose that the Tahsildar altered the revenue records incorporating the name of respondent No.7 in the subject properties. If that is so, as against the said order under the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act'), appeal shall lie to the Revenue Divisional Officer and the petitioner has not availed the remedy of appeal as provided under the Act.

3. Since the appropriate remedy is in the form of an appeal and as no such appeal was preferred with the competent authority, action of the respondents i.e., Tahsildar and the District Collector in not acting upon the representation submitted by the petitioner may not be faulted and no direction can be given to act upon such

representation. Therefore, the relief sought in the writ petition cannot be granted.

4. Leaving it open to avail the remedy of appeal as provided under the Act, the Writ Petition is dismissed. It is needless to observe that as and when such an appeal is preferred, the appellate authority shall consider the same and pass appropriate orders, in accordance with law, expeditiously, by affording opportunity to the opposite party.

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

Date:29.08.2017
INL

JUSTICE P.NAVEEN RAO

