

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11053 of 2017

ORDER:

The case of the petitioner is that his father purchased an extent of Ac.0-36 guntas in Sy.No.535 at Shahsaheb locality of Karimnagar proper and mandal from original owner by name Koduri Buchaiah under sada sale deed dated 20-08-1956. Since then, father of the petitioner is in possession and said sale deed was validated by proceedings dated 27-11-1995 and accordingly issued Form 13-B certificate in his favour. Subsequently, the father of the petitioner executed registered partition deed dated 28-08-2009 among his sons and accordingly an extent of Ac.36 guntas of the subject land allotted in favour of the petitioner. Basing on the registered partition deed, the petitioner approached Tahsildar, Karimnagar for incorporation of his name in revenue records and the Tahsildar issued proceedings dated 16-10-2009 incorporating the name of the petitioner by following due process of law and accordingly, his name was entered in revenue records since year 2010 onwards. Basing on the application dated 14-12-2010 of the 3rd respondent for rectification of the entries in revenue records, the 2nd respondent issued notice dated 16-03-2011 to the petitioner to submit explanation along with relevant documents. In pursuance to the same, the petitioner filed objections stating that said appeal cannot

be entertained on the mere representation of the 3rd respondent. It is also stated by learned counsel for the petitioner that the petitioner filed explanation along with the relevant documents and also filed memo stating that the appeal is not maintainable before the 2nd respondent. But no orders are passed on the same. Aggrieved by the same, the present writ petition is filed.

Learned counsel for the petitioner submits that as the 3rd respondent has filed mere representation, the 2nd respondent cannot entertain the same in the appeal that too after long lapse of time.

Heard learned Assistant Government Pleader for Revenue.

In view of above facts and circumstances of the case, the 2nd respondent is directed to dispose of the application stated to have been filed by the petitioner regarding maintainability of the appeal pending notice in File No.7789/10 after giving notice to the petitioner, the 3rd respondent and other parties to the proceedings within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

28-03-2017

Nvl



