

HON'BLE SRI JUSTICE S. V. BHATT

Writ Petition No.18367 of 2017

ORDER:

Heard Sri P. Gangarami Reddy, for petitioners and the Assistant Government Pleader for Revenue.

2. The 2nd respondent in D.Dis.No.(G) 3567/ 2005 dated 16.10.2006 has passed the following orders:

“..Finally, I am of the considered opinion that the Pattadar Pass Books issued earlier in S.No.7/1 of Thandlam village is not in accordance with the Records of Rights Rules, 1989. The Survey and Sub-division work has not been done. Merely assigning notional numbers Pattadar pass Books were granted. Therefore Pattadar Pass Books/ Title Deeds issued earlier in S.No.7/1 of Thandlam village were cancelled and order to conduct fresh enquiry keeping in view of the Joint Pattadars duly conducting Grama sabha and survey and sub-division of the lands as per their possession and enjoyment. Hence the case is remitted back to Mandal Revenue officer, Renigunta for fresh enquiry.”

3. The parties in the appeal have later on joined issue in OS No.1266 of 2008 on entitlement, possession etc. The petitioners herein are defendants in OS No.1266 of 2008. On 12.12.2013, the suit was dismissed. According to the petitioners, the judgment has become final. The petitioners represented to 2nd respondent for appropriate orders on mutation of names in revenue records. Now the inaction is complained basing on the representation given to the 2nd respondent. This court is of the view that through order dated 16.10.2006 of the Revenue Divisional Officer the issue has been sent back for consideration by 3rd respondent, the petitioners have to workout their remedies before the Primary Authority/ 3rd respondent. Therefore the petitioners are given liberty to resubmit the petition already filed, if not filed, to file representation

before the 3rd respondent, in accordance with law, for appropriate orders in this behalf. As the prayer is one against the inaction, this court has not examined merits of the matter. It is for the 3rd respondent to examine and decide as and when the case is taken up for consideration.

4. With the above observation, the writ petition is disposed of. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

S.V.BHATT, J

Date: 08.06.2017
BSS



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23

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