

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.14790 of 2017

ORDER:

This writ petition is filed against the proceedings in case No.D1/6204/2009, dated 29-09-2016 passed by the Joint Collector under Section 9 of A.P.Rights in Land and Pattadar Passbooks Act dismissing the application filed by the petitioners seeking correction of entries from the year 1966 onwards in revenue records in respect of subject lands i.e. Ac.12-07 guntas in Sy.No.1, Ac.11-16 guntas in Sy.No.2, Ac.11-32 guntas in Sy.No.3 of Premavathipet Village, Rajendra Nagar Mandal, Ranga Reddy District.

Learned counsel for the petitioners submits that after death of father of the petitioners, the petitioners succeeded the subject property and made application for correction of entries. But the 2nd respondent dismissed the same erroneously. He submits that there is no acquisition of subject lands by the Government, but the 2nd respondent did not consider the said aspect. Learned counsel further submits that the petitioners came to know about illegal entries in the year 2007, they made presentations for rectification of records. But the 3rd respondent has not taken any action. On that the petitioners had filed revision in the year 2009. But the 2nd respondent erroneously dismissed the revision holding that the petitioners approached the authorities after period of 59 years.

On the other hand, learned Assistant Government Pleader for Revenue submits that the 2nd respondent after passing of the award dated 16-03-1964 subject lands were acquired by the Government and they are under the custody of the Government i.e. 9th respondent and the 2nd respondent also found that the petitioners have approached after delay of 59 years.

In this case, the petitioners are seeking rectification of entries from the year 1966 onwards and in support of his contention, learned counsel for the petitioners relied on the judgment of **Joint Collector, Ranga Reddy District v. D.Narsing Rao**¹ and he submits that the revision can be entertained in reasonable time, though limitation is not prescribed under the statute. In this case, admittedly, the petitioners are seeking rectification of entries from the year 1966 and they filed revision in the year 2009 i.e. after period of 43 years and by any stretch of imagination, it cannot be said that it is in reasonable time. As such, the impugned order of the 2nd respondent holding that the revision is filed belatedly cannot be faulted with. Even on merits also, the 2nd respondent also relied on gazette notifications, award and letter of Accountant General regarding payment of compensation to the land owners. It is further found that the 9th respondent-University is in possession of subject lands.

¹ (2015) 3 Supreme Court Cases 695

In view of the same, this Court is not inclined to go into the disputed questions of fact and set aside the impugned order by exercising power of judicial review under Article 226 of Constitution of India. As such, this writ petition is liable to be dismissed,

Accordingly, the writ petition is dismissed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

24-04-2017
Nvl



