

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.33213 OF 2017

Dated:05.10.2017

Between:

Chatla Ramesh, S/o. Doolappa,
Aged about 45 years, Occ: Agriculture,
R/o.Dooskal Village, Farooqnagar
Mandal, Ranga Reddy District

.. Petitioner

And

The State of Telangana, rep., 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.33213 OF 2017****ORDER:**

Heard.

2. Petitioner claims to be the owner of land to an extent of Acs.2.38 guntas in Survey No.111 of Dooskal Village, Farooqnagar Mandal, Ranga Reddy District. According to petitioner, by order dated 08.04.2015, the Tahsildar, Farooqnagar Mandal, incorporated the name of the petitioner in the revenue records. Aggrieved thereby, the 4th respondent in the Writ Petition instituted O.S.No.32 of 2015, which is pending on the file of the Junior Civil Judge, Shadnagar, seeking permanent injunction against the petitioner. However, no interlocutory order was passed by the trial Court and the said suit is pending for trial. According to petitioner, at this stage, the 4th respondent submitted application before the Tahsildar for incorporation of his name in the revenue records and the Tahsildar is entertaining the claim without putting the petitioner on notice and therefore such action is illegal. Based on the said averments, the petitioner seeks declaration that the action of the Tahsildar in entertaining the application of the 4th respondent for incorporating/mutating his name in the revenue records is illegal.

3. A bare perusal of the prayer itself would show that the prayer sought is premature. As briefly noted above, according to petitioner, his name was already mutated in the revenue records and aggrieved thereby, the 4th respondent instituted the suit and the said suit is pending. The Andhra Pradesh Rights in Land and

Pattadar Passbooks Act, 1971 envisages detailed procedure before undertaking corrections in the revenue records. Petitioner is not even issued notice and only on apprehension that the Tahsildar would entertain the application of the 4th respondent, petitioner filed this Writ Petition. On assessment of facts, as noted above, it is evident that this is a pre-emptive litigation instituted by the petitioner without any cause and justification. Merely because the petitioner makes a representation and alleging that the said representation is not acted upon, he cannot invoke the jurisdiction of this Court and seek a pre-emptive direction. It is also seen that such representation was made on 04.09.2017 and soon thereafter this Writ Petition is filed. Therefore, there are no *bona fides* in instituting the Writ Petition and the same is liable to be dismissed in *limine*.

4. The Writ Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

Date:05.10.2017

KH

P. NAVEEN RAO, J