

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.26490 OF 2017

DATED : 09.08.2017

Between :

Sri Naini Srinivas Reddy S/o.Ram Mohan Reddy,
Aged 40 yrs, R/o.Fathepur Village,
Torroor Mandal, Mahaboobabad District.

..

Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Buildings, Saifabad,
Hyderabad & others.

..

Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner claims that he and his brother are the owners and in possession of land admeasuring Ac.0-22 guntas and Ac.0-23 guntas in Sy.No.282/B1 and 282/B respectively, Fathepur Village, Torroor Mandal, Mahaboobabad District, having inherited the same from their ancestors. While so, there was illegal interference by persons i.e., A.Somi Reddy and D.Yadhagiri compelling the petitioner and his brother to invoke the jurisdiction of Junior Civil Judge, Mahaboobabad by filing O.S.No.107 of 2004 and by order dated 18.09.2005, the trial Court decreed the suit in their favour. It is the further case of the petitioner that the Tahsildar carried out corrections in the revenue records, in favour of Smt. Dande Vajramma (5th respondent), without notice or opportunity to the petitioner. Aggrieved by the illegal corrections made in the revenue records, petitioner caused legal notice on 22.05.2017 to the Tahsildar and District Collector, Mahaboobabad to rectify the corrections made. Alleging inaction on the said notice, this writ petition is filed.

3. The averments made in the affidavit filed in support of the writ petition would *prima-facie*, disclose that the Tahsildar carried out corrections in the revenue records concerning the subject property reflecting the name of 5th respondent. If the petitioner is aggrieved by such corrections made, under Section 5 (5) of the A.P. Rights in Land and Pattedar Pass Books Act 1971 (for short 'the

Act, 1971') the remedy of appeal is provided to the Revenue Divisional Officer. Apparently so far no such appeal is preferred. Whereas, the legal notice was issued to the Tahsildar to carry out the corrections by rectifying the earlier corrections made. No such exercise can be undertaken by the Tahsildar, since he has already passed orders and the remedy is only by way of appeal to the appellate authority.

4. Thus, this Court is not inclined to entertain the writ petition at this stage. Thus, leaving it open to the petitioner to avail the remedy of appeal under Section 5 (5) of the Act, 1971, if so advised, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

09th August, 2017
Rds

P.NAVEEN RAO,J

