HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No. 28187 of 2017

Date: 23.08.2017

Between:
Boddu Damodar Reddy,
L.B. Nagar, Ranga Reddy District, and another

.. Petitioners

AND

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

.. Respondents

The Court made the following:

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No. 28187 of 2017

ORDER:

The first petitioner claims that his father was the absolute owner and possessor of the land in Survey Nos.96, 99, 101, 102, 104, 105, 106, 73, 74, 109, 92 and 149 of Nerrepalli Village, Ibrahimpatnam Mandal, Ranga Reddy District. After the death of his father, the first petitioner and his son-second petitioner have been in exclusive possession and enjoyment of the said land. While so, respondents 5 to 8, who have no title, right or interest over the said land, approached the Tahsildar, Ibrahimpatnam Mandal, fourth respondent herein, by filing an application under the provisions of the Andhra Pradesh (Telangana Area) Tenancy & Agricultural Lands Act, 1950, claiming that the said land belongs to their grandfather. However, the said application was dismissed by order dated 14.09.2010. Challenging the same, respondents 5 to 8 filed W.P.No.26098 of 2010 and the same was dismissed as withdrawn on 04.01.2017. Thereafter, the petitioners made a representation to the fourth respondent to implement the proceedings dated 22.06.1998 to incorporate their names in the revenue records. As no action has been taken by the fourth respondent, they approached the District Collector, Ranga Reddy District, the second respondent herein. But, so far no action has been taken by the respondent authorities. Hence, this writ petition.

As seen from the material on record, the petitioners made a representation to the fourth respondent to mutate their names in the revenue records such as pahani, pattedar pass book and title deed.

The provisions of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act of 1971') envisages a particular procedure to be followed for making entries in the revenue records or deletion or correction of entries made in the revenue records.

In the instant case, the petitioners have not made any such application as required under the Act of 1971. The petitioners now seek a direction to the respondent authorities to act upon the representation made by them to incorporate their names in the revenue records. No such direction can be given to dispose of the representation of the petitioners as the same is not in accordance with the Act of 1971.

Granting liberty to the petitioners to make an application as required under the Act of 1971, the writ petition is disposed of. It is needless to observe that as and when such an application is filed, the same shall be considered in accordance with law by following due process of law, after putting the affected persons, if any, on notice and affording due opportunity to them. Such exercise shall be undertaken as expeditiously as possible, preferably within a period of three months from the date of receipt of the application made by the petitioners. There shall be no order as to costs. The Miscellaneous Petitions, if any, pending in this writ petition, shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 23.08.2017
va