

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27992 OF 2017

Dated:22.08.2017

Between :

Mohd. Azeemuddin, S/o. Late Shamsuddin,
Aged about 50 years, Occ: Business,
R/o. Rajivnagar, Temple Alwal,
Alwal Railway Station, Secunderabad .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad & others ..
Respondents



This court made the following :

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ORDER:

Heard.

2. According to the petitioner, Ac.5-00 of land in Survey No.954 of Jawaharnagar Village, Kapra Mandal, Ranga Reddy District, was assigned to his father by the erstwhile Government of Hyderabad to rehabilitate him, as he was an ex-serviceman and accordingly patta was granted and his name was mutated in revenue records. While so, without prior notice or opportunity, the Tahsildar, Kapra Mandal, Medchal District, altered the revenue records changing the status of property from that of an assignment to ex-serviceman by the erstwhile Government of Hyderabad, to KARIJ KATHA. Petitioner contends that such action is illegal. Aggrieved thereby, petitioner preferred appeal under the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for short 'the Act') to Tahsildar on 14.06.2017. But, the said appeal is yet to be disposed of.

3. The facts on record would disclose that petitioner has grievance in changing the status of the property claimed to have been assigned to his father by the Tahsildar. If what is contended by the petitioner is true, an appeal would lie to the Revenue Divisional Officer under Section 5 (5) of the Act. The Tahsildar being the original authority who claims to have altered the revenue records, no appeal would lie to the same authority. Therefore, no direction to the very same authority to dispose of the appeal or to correct the revenue records can be issued. The prayer sought in

the Writ Petition is not maintainable and the Writ Petition is liable to be dismissed.

4. Accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to avail the remedies as available in law, including preferring of appeal, if so advised. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

Date:22.08.2017

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P. NAVEEN RAO, J

