

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11788 OF 2017

ORDER:

This writ petition is filed challenging the order in case No.D1/3820/2015, dated 29.09.2016, passed by the 2nd respondent in Revision petition filed by the petitioner against the issuance of pattadar pass books and title deed in favour of 5th respondent in respect of lands admeasuring Ac.41-36 guntas in Survey Nos.16, 170, 171 & 172 of Narsingi Village, presently in Gandipet Mandal, Ranga Reddy District, by the 4th respondent.

Learned counsel for the petitioner submits that the Joint Collector instead of going into the merits of the case, dismissed the revision on the ground of limitation stating that the petitioner seeks correction of entries after a long lapse of 23 years which is barred by limitation.

It is to be seen that the petitioner filed revision before the Joint Collector challenging the proceedings dated 31.03.1989 issued by the 3rd respondent. No doubt, there is no period of limitation for entertaining the revision. But, the Joint Collector found that the power of revision can be exercised within a reasonable time and relied on the judgment in ***State of Gujarat v. Patel Raghavanatha (AIR 1969 SC 1297)***. It is difficult to believe that the petitioner is not aware of proceedings dated 31.03.1989 till the year 2015. On perusal of the impugned order

and the reasons given by the petitioner, I do not see any infirmity in the order dated 29.09.2016 passed by the Joint Collector for not exercising revisional power after a long lapse of time i.e. after 23 years.

In **Joint Collector, R.R.District v. D.Narsing Rao**¹, the Hon'ble Apex Court held that even though there is no limitation is prescribed, *suo motu* exercise of revisional power must be made within a reasonable period particularly when third party rights are accrued or created. It is further held that even if fraud is alleged, it must be exercised within a reasonable period.

In view of above facts and circumstances, the writ petition is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

06.04.2017
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¹ 2015 (3) SCC 695