

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.4830 OF 2017

ORDER :

This writ petition is filed seeking Writ of Certiorari to call for the records relating to the order passed by the 2nd respondent – Joint Collector & Additional District Magistrate, Nizamabad - in Revision Petition No.D2/2701/2013, dt. 21.1.2014 under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'ROR Act') whereunder the Revision Petition filed by the respondents 5 & 6 was allowed.

Heard learned counsel for the petitioners and the Assistant Government Pleader for Revenue appearing for the respondents.

As can be seen from the impugned order, the Joint Collector observed that the petitioners sold the land to the Revision Petitioner No.2, the 6th respondent herein, under Registered Sale Deeds, dt. 31.12.2001 vide Document Nos.301 and 302. Basing on the same, Mandal Revenue Officer, Nizamabad mutated the land in favour of revision petitioners vide Proceedings No.ROR/31/20-6, dt. 20.7.2006. After a lapse of five years, the unofficial respondents in the revision submitted a petition that the said land was only mortgaged to revision petitioner No.2 and not sold. But it is seen that the said land was sold to one Smt. Chitikela Sarojana W/o. Laxman Reddy by the revision petitioner under a Registered Sale Deed vide Document No.4094/2007. The petitioners have not taken any steps for cancellation of the Registered Sale Deed executed in 2007. It is also found that the

appeal is barred by limitation. Further, it is found that the Mandal Revenue Officer decided the matter in 2006 in favour of unofficial respondents and the successor Tahsildar cannot enquire into the same, having already mutated the lands.

Since mutation of the subject land is based on Registered Sale Deeds executed by the revision petitioner, I do not see any infirmity in the order impugned.

In view of the above facts and circumstances, Writ Petition is dismissed. No costs. However, it is open for the writ petitioners to avail the remedies as available for challenging the Sale Deed.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stand closed.

13.02.2017
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A.RAJASHEKER REDDY, J

