

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 31533 of 2017

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No.4 in not taking any action for rectification of records based on the application of the petitioner, dated 31.12.2013, pertaining to land in R.S.Nos.241/ 3A, 3B, 241/ 2B, 242/ 2A and 242/ 2B, as arbitrary, illegally and against the principles of natural justice.

2) The averments in the affidavit filed in support of the writ petition would show that the petitioners claimed to be the absolute owners and possessors of the land admeasuring Ac.5.40 cents in Sy.No.117/ 2 of Moorsapudi Village, Nuziveedu Mandal, Krishna District. It is stated that during the year 1959, the lands were sub-divided and placed in different survey numbers. A detailed report is said to have been issued by the Deputy Inspector of Survey on 29.03.2011 clarifying that there was clear difference in between actual possession and enjoyment of lands and the entitlement as per the registered documents. Hence, the petitioners were asked to take steps in getting necessary changes in the existing documents by way of effecting rectification of deeds in the office of Sub-Registrar. Pursuant thereto, the petitioners are said to have made a representation in the year 2013, for rectification of details of the land in the revenue records. It is also stated that a report was called for from the Tahsildar, but till date no orders are passed on the application made by the petitioners.

3) Learned counsel for the petitioners would submit that no explanation is forthcoming as to why no orders are passed on the

application made by the petitioner inspite of calling a report from the Tahsildar.

4) The learned Government Pleader for Revenue submits that the application was made in the year 2013 and if fresh application is made by the petitioners, the authorities will consider the same.

5) It is to be noted here that the petitioners herein made application in the year 2013, basing on the report of the Deputy Inspector of Survey, dated 29.03.2011. Having kept quiet for four years, there is no point in now asking the petitioners to submit a fresh application.

6) Having regard to the fact that the representation of the petitioners is still pending consideration, the writ petition is disposed of directing respondent No.4-Tahsildar to pass orders on the representation made by the petitioners in the year 2013, as early as possible, preferably, within a period of six to eight weeks from the date of receipt of a copy of the order.

7) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

18.09.2017  
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