

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.18551 OF 2017

ORDER:

Heard Sri K.Venkatesh, counsel appearing for petitioners, the learned Assistant Government Pleader (Revenue) for respondents 1 to 4 and Sri Kishore Reddy for respondents 5 to 7.

2. On 09.06.2017, this Court directed 4th respondent to maintain entries as they stood in 1-B Register prior to date of passing of order Ref.D/1299/2015, dated 31.05.2017 for a period of two (02) weeks.

3. Learned Assistant Government Pleader has placed before this Court File No.D/1299/2015, wherein order impugned in the writ petition is passed by respondent No.3.

4. I have taken note of the rival submissions of learned counsel appearing for petitioners, respondent Nos.5 to 7 and perused the record placed for inspection by 3rd respondent. This Court, *prima facie* of the view that having regard to the circumstances under which the jurisdiction is stated to have been exercised by respondent No.3 and the objections now pointed out by the writ petitioners, the issue boils down to maintain updating or continuing the Record of Rights for survey No.25/1 of J.Annavaram Village. The verification and adjudication on disputes can effectively be undertaken by the 2nd respondent. Mr.K.Venkatesh consents to availing the remedy of revision and seeks time for filing the revision.

5. Sri Kishore Reddy does not oppose petitioners availing the alternative remedy, but submits that if the interim order is granted, respondents 5 to 7 will be put to great loss and hardship.

6. This Court is of the view that against the order of 3rd respondent, dated 31.05.2017, the remedy under Section 9 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act') is effective and proper. Therefore, the petitioners are given two (02) weeks time from today to file revision under Section 9 of the Act before the 2nd respondent. The 2nd respondent is directed to call for the record from Tahsildar, Yeleswaram Mandal, East Godavari District, examine the case of revision petitioners as well as respondents 5 to 7 and dispose of the revision within two (02) months from the date of receipt revision. The entries either for change or further corrections be carried out subject to outcome of the decision by the 2nd respondent in the proposed revision. To maintain *status quo* as on date, the interim order granted on 09.06.2017 is directed to be maintained for a period of ten (10) weeks from today. The revision petitioners after filing the revision, if they do not cooperate with the 2nd respondent for disposing of the revision, he is free to examine the records and pass orders.

7. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE S.V. BHATT

JUNE 19, 2017

Note: Furnish CC forthwith
(B/O)
YVL

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Dt: 19.06.2017

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