

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION NO. 22010 OF 2017

ORDER:

Heard Sri S.M. Saifullah, learned counsel, appearing for petitioner.

2. The petitioner challenges the order dated 9.6.2016, of the Revenue Divisional Officer, Malkajgiri Division, Ranga Reddy District, in case No. A2/495/2016.

3. The issue arises under A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act'). The Assistant Government Pleader for Revenue relies upon Section 9 of the Act, which reads as follows:

“9. Revision:- The Collector may either *suo motu* or on an application made to him, call for and examine the record of any Recording Authority, Mandal Revenue Officer or Revenue Divisional Officer under Sections 3,5,5A or 5B, in respect of any record of rights prepared or maintained to satisfy himself as to the regularity, correctness, legality or propriety of any decision taken, order passed or proceedings made in respect thereof and if it appears to the Collector that any such decision, order or proceedings should be modified, annulled or reversed or remitted for reconsideration, he may pass orders accordingly:

Provided that no such order adversely affecting any person shall be passed under this section unless he had an opportunity of making a representation.”

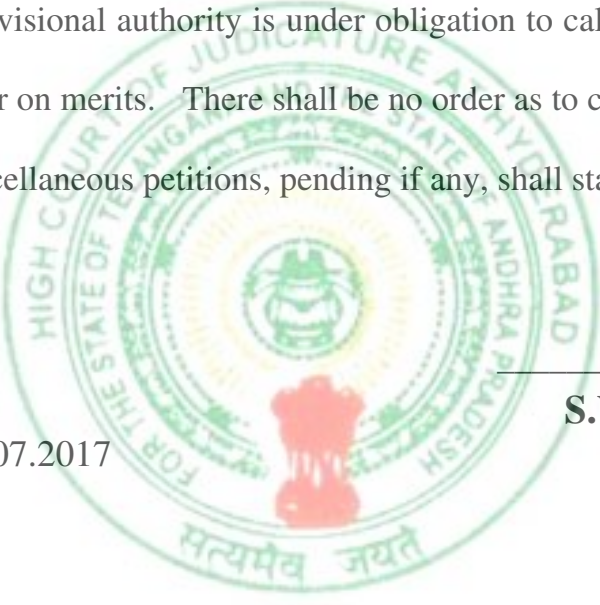
4. According to learned Assistant Government Pleader, even assuming that the petitioner is not one of the parties to the proceedings before third respondent, still scope of Section 9 of the Act is so wide that a person who has a grievance in respect of any record of rights prepared or maintained, as to the regularity, correctness, legality or propriety of any decision taken, can be examined by original authority.

5. I have perused the order dated 9.6.2016 and also the language employed in Section 9 of the Act. This Court is of the view that on the merits as well, it is not a fit case for canvassing under Section 9 of the Act.

6. The Writ Petition is disposed of by granting liberty to petitioner to file revision within four weeks from today. The petitioner is further given liberty to enclose a copy of this order along with revision filed against order dated 9.6.2016. The revision if filed, as permitted by this order, the revisional authority is under obligation to call for the order and pass an order on merits. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

DATE: 06.07.2017

KA



S.V.BHATT, J