

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.26630 OF 2017

Dated:09.08.2017

Between:

P. Sunki Reddy, S/o. P. Ramappa,
Aged 75 years, Occ: Agriculturist,
R/o. Sorakayalapeta Village,
Yeddulapalli Post, Pamidi Mandalam,
Anantapuram District

.. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue Department,
Secretariat Buildings, Velagapudi,
Guntur District and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.26630 OF 2017****ORDER:**

Petitioner claims that his father purchased agricultural land to an extent of Acs.13.63 cents and Acs.4.55 cents in Survey No.17 of Sorakayalapeta Village, Pamidi Mandalam, Anantapur District. After demise of his father, petitioner and his brother succeeded to the said property. Pattadar passbooks and title deeds were issued reflecting the share of the petitioner. The revenue records disclose the land in possession of the petitioner as Acs.7.52 cents in Survey No.17-4. Later, in title deed No.45, the extent of land is shown as Acs.6.10 cents and subsequently the extent is brought down to Acs.4.10 cents. Surprised by these developments, petitioner submitted representation dated 30.11.2015 to the District Collector, Anantapur District. Alleging inaction on the said representation, this Writ Petition is filed.

2. The facts as noted above would disclose that according to the petitioner, larger extent of land was accrued to his account on account of partition of the family properties. Therefore, petitioner is entitled to reflection of his name to the entire extent of Acs.7.52 cents in the revenue records and reducing the extent is *ex facie* illegal. Therefore, petitioner seeks rectification of the revenue records reflecting the correct extent of land. The very facts as noted above require examination of the claim of the petitioner vis-à-vis revenue records. Rectification of the revenue records is governed by the provisions of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act'). Under

Section 5 of the Act, a person can submit an application for rectification of the records and on making such application, the Tahsildar requires to consider the same and take appropriate decision. Form VI-A appended to the Rules framed under the Act prescribes the procedure in which such application should be made. Apparently, so far no such application is made by the petitioner invoking the jurisdiction of the Tahsildar under Section 5 of the Act. Thus, at this stage, no relief as sought for can be granted.

3. The Writ Petition is accordingly disposed of granting liberty to the petitioner to avail the remedies available under the Act and requesting the Tahsildar, Pamidi Mandalam, Anantapur District, the 3rd respondent, to examine the records and if the claim of the petitioner is valid to carry out corrections and for issuance of appropriate proceedings, as warranted by law. It is needless to observe that as and when such application is made, the 3rd respondent shall examine the records and if there are any other claimants, consider the claims of such persons also, duly putting them on notice and affording due opportunity before passing final orders. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:09.08.2017

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