

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.37628 of 2017

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue (T.S.) appearing for respondent Nos.1 to 4.

2. The petitioners have assailed order, dated 12.10.2017, in case No.E2/MDL/E5/3529/2014, passed by the second respondent declining to exercise jurisdiction for correction of wrong entry of pattedar's name in respect of survey No.173 (old) of Singaipally Village, Shameerpet Mandal, Medchal District.

3. In the impugned order, the second respondent states in paragraph 19 that it is evident from the Circular instructions issued by the Chief Commissioner of Land Administration (C.C.L.A.) that the Joint Collector is not the competent authority to entertain such a correction under Section 87 of the Telangana Land Revenue Act, 1317 Fasli (for short 'the Act').

4. This sentence runs contrary to paragraph 1 of Circular of C.C.L.A. in Rc.No.S1/1093/2011 (CSSLR) dt. 18.05.2011, which is also referred to in the impugned order by the second respondent. The second respondent does not give any specific reason why he is not competent to entertain the petitioners' application for correction under Section 87 of the Act.

5. Learned Government Pleader for Revenue (T.S.) appearing for respondent Nos.1 to 4 states that the Circular referred to above sets out what are the clerical errors in respect of which the second

respondent can exercise jurisdiction. He is also unable to state which portion of the said Circular is relied upon by the second respondent to come to the conclusion that he is not the competent authority to entertain the correction sought for by the petitioners in their application under Section 87 of the Act.

6. Therefore, on the above short ground alone, the Writ Petition is allowed and order dt. 12.10.2017 in case No.E2/MDL/E5/3529/2014 passed by the second respondent is set aside. The matter is remitted to the second respondent to pass a fresh order by giving proper reasons within a period of eight weeks from the date of receipt of a copy of this order. The second respondent shall also give notice to the fifth respondent before passing the fresh order.

7. As a sequel, miscellaneous petitions pending for consideration, if any, shall stand disposed of as infructuous.

13th November, 2017

GHN

M.S.RAMACHANDRA RAO, J