

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**WRIT PETITION No.1832 of 2018**

**ORDER:**

Heard learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

2. It is the case of the petitioner that her father Medapati Thammi Reddy was the absolute owner of land to an extent of Ac.27.50 cents in Survey Nos.99 to 102, situated at Valu Thimmapuram Village, Peddapuram Mandal, East Godavari District. He acquired the same under a registered Sale Deed, dated 23.12.1951 and later on, he died. Thereafter, the petitioner and her mother became absolute owners of the said property and the mother of the petitioner also died on 21.08.2003, leaving behind her as the sole legal heir. After death of her mother, the petitioner submitted a representation to the fourth respondent to mutate her name and issue pattadar passbooks and title deeds. She also got issued legal notice through her counsel on 23.12.2015 and in response to the same, the third respondent issued proceedings on 31.01.2016 directing the fourth respondent to enquire into the matter and take necessary action. After receipt of the said letter from the third respondent, the fourth respondent issued an endorsement on 14.12.2015 stating that the application filed by the third parties for an extent of Ac.33.29 cents in the aforesaid survey numbers was considered in favour of Banda Ramachandra Rao, Banda Venkata Krishna Rao and Banda Veera Venkata Satya Krishna Govind. Challenging the said endorsement, dated 14.12.2015, the petitioner preferred an appeal before the third respondent, but the same was dismissed by an order, dated 12.07.2017 holding that the petitioner did not attend for enquiry before the fourth respondent. The third respondent in his order,

dated 12.07.2017 stated that a revision can be filed before the Joint Collector within a period of ninety (90) days from the date of receipt of a copy of that order. Accordingly, the petitioner submitted an appeal on 10.10.2017 within 90 days, but the same was rejected by the second respondent on the ground that it was barred by time. Challenging the endorsement made by the second respondent on 14.12.2017, the present Writ Petition is filed.

3. Learned counsel for the petitioner submits that the petitioner preferred revision on 10.10.2017 taking a cue from the period of limitation mentioned in the order of the third respondent and it was within the time. But, learned Government Pleader, on the other hand, submits that the period of limitation for filing revision is two months, but not ninety (90) days as stated by the third respondent in his order and the endorsement passed by the second respondent is correct.

4. Be that as it may, in view of the mistake committed by the third respondent and the mistaken impression of the petitioner, the revision was filed with a short delay on 10.10.2017. Since the delay was short and the petitioner has been diligently prosecuting her case, the second respondent is directed to entertain the appeal/revision filed by the petitioner on 10.10.2017 and dispose of the same in accordance with law, after issuing notice to all the affected parties, within a period of three (3) months from the date of receipt of a copy of this order.

5. The Writ Petition is, accordingly, allowed setting aside the impugned endorsement, dated 14.12.2017, issued by the second respondent.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

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**A.RAMALINGESWARA RAO, J**

**FEBRUARY 05, 2018**  
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**Date: 05.02.2018**

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