

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.9561 OF 2018

ORDER:

Heard Mr.K.SMurthy for petitioners and the Assistant Government Pleader (Revenue) for respondents.

The petitioners challenge the arbitrary action of respondents in changing the entries in the revenue records and cancelling the pattadar passbooks of petitioners in collusion with respondent No.6. The petitioners further pray for taking action against the appeal filed by them before the 3rd respondent-Joint Collector.

The Assistant Government Pleader (Revenue) submits that the petitioners have to work out the grievance either in appeal or revision under the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act'), as held by this Court in RATNAMMA v. RDO¹, DHARMAVARAM and KARUVA HANUMANTHAMMA v. PRINCIPAL SECRETARY, REVENUE DEPARTMENT, HYDERABAD AND ANOTHER².

After perusing the prayer and the averments in the affidavit, this Court is of the view that pattadar passbook if issued, pursuant to proceedings issued by the Tahsildar, the remedy of appeal is available. On the other hand, if the pattadar pass book is merely issued without mutation order or correction of 1-B Register, the remedy of revision is available under Section 9 of the Act.

Since the arguments are already heard by the 3rd respondent/Joint Collector in the appeal filed by the petitioners,

¹ 2015 (6) ALD 609

² 2018(1) ALD 290

this Court does not prefer to pass orders in the writ petition at this stage. The ends of justice are met by directing respondents 2 and 3 to pass orders pending in case Rc.No.368/2018-D5 before the 3rd respondent/Joint Collector.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending stand closed.

07th June, 2018

Lrkm

S.V.BHATT, J

