

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No. 9912 OF 2018

DATED : 27.03.2018

Between :

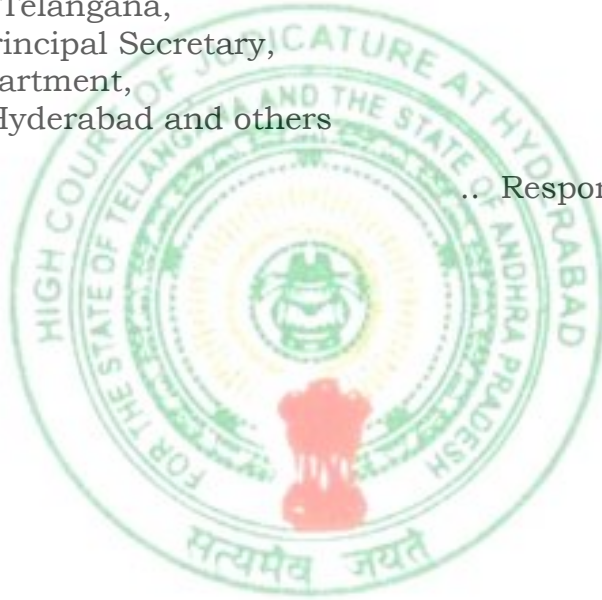
M.Padmakar Rao, s/o. M.Rama Rao,
Aged about 64 years, Occu: Agriculture,
R/o. 1-2-293/3, Flat No.204,
Legend Kandhari, Gaganmahal Colony,
Domalguda, Hyderabad -29

.. Petitioner

And

The State of Telangana,
Rep. by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad and others

... Respondents



This court made the following :

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ORDER:

Heard.

2. The petitioner claims that land to an extent of Ac.0.23 guntas in Survey No.62, Ac.12.02 guntas in Survey No.67, Ac.3.22 guntas in Survey No.68, Ac.8.27 guntas in Survey No.69 and Ac.16.37 guntas in Survey No.92, totally admeasuring Ac.41.31 guntas situated at Rayapole village, Ibrahimpatnam Mandal, Ranga Reddy District, is his ancestral property. Earlier, pattadar passbooks were issued to him and his other brothers. While so, pattadar passbook was issued in the name of one Buyya Balamani with regard to the land in Survey No.62, illegally. Aggrieved thereof, the petitioner filed revision before the Joint Collector in Case No.D5/404/2016 and the same is pending. The land in Survey Nos.67, 68, 69 and 92 of various extents mentioned above are inam lands. Lot of litigation generated on the claims of Occupancy Rights Certificates. The Occupancy Rights Certificate earlier issued in favour of the petitioner was cancelled by the Joint Collector vide his orders dated 8.1.2015. Challenging the decision of the Joint Collector, petitioner filed Writ Petition No.539 of 2015. In WPMP.No.650 of 2015, by order dated 27.1.2015, this Court granted interim suspension.

3. Petitioner now alleges that even though interim suspension was granted, the Tahsildar reflected the names of third persons.

4. Such third parties were not made parties to the present Writ Petition.

5. Learned counsel for the petitioner now states that objections were filed before the Tahsildar and also before the Joint Collector but they are not acted upon.

6. A reading of the grievance ventilated before the Joint Collector in the application dated 8.3.2018 would disclose that even earlier to 2018, names of other persons were reflected in the revenue records.

7. If it is the case of the petitioner that reflection of names of third parties in the revenue records is contrary to the interim order granted by this Court in WP.No.539 of 2015, the petitioner has to take appropriate steps in the pending Writ Petition or in the Contempt Proceedings alleging violation of the directions of this Court.

8. Be that as it may, already Tahsildar made entries reflecting the names of some third parties. If petitioner is aggrieved by such entries made, petitioner can avail the remedy of Revision before the Joint Collector Under Section 9 of Act, 1971, but he cannot file a representation.

9. In view of the above facts, this Court is not inclined to entertain this Writ Petition and the Writ Petition is dismissed leaving it open to the petitioner to avail the remedy of revision Under Section 9 of Act, 1971 or to file an appropriate application before this Court in the pending Writ Petition No.539 of 2015.

10. It is needless to observe that with reference to land in Survey No.62, revision is already pending before the Joint Collector and it is open to the petitioner to work out his remedy against wrong reflection of names in the revenue records before the Joint Collector.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

P. NAVEEN RAO,J

Date: 27.3.2018

KPM

