

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.12322 OF 2018

Dated:12.04.2018

Between:

Dugge Saidaiah, S/o. Ramaiah,
Aged 41 years, Occ: Agriculture,
R/o. Rajavaram Village, Thirumalagiri
(Sagar) Mandal, Nalgonda District

.. Petitioner

And

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

.. Respondents



The Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for respondents 1 to 4.

2. Petitioner claims that land to an extent of Acs.3.30 guntas in Survey No.38/15 correlated to Old Survey No.38/E of Rajavaram Village, Thirumalagiri (Sagar) Mandal, Nalgonda District, belongs to petitioner's grand father, by name, Sri Dugge Chandraiah; on his demise, father of petitioner succeeded to the said property and after death of his father, petitioner succeeded to the said property. According to petitioner, name of father of petitioner was reflected in the revenue records and he was also issued Lavoni patta. Grievance of the petitioner is that in the revenue records, presently though his father's name is reflected against the subject land, extent of land is mentioned as 'no land' ('bhoomi ledu'). Aggrieved by the same, this Writ Petition is filed.

3. According to learned counsel for the petitioner, the information elicited by the petitioner on the applications filed under the Right to Information Act, 2005 would disclose that the respondent authorities were under the wrong concept of granting assignment patta to the unofficial respondent and on that premise, respondent authorities are treating as 'no land' as seen from entry in Adangal though name of father of petitioner is shown. However, the records reflect that no reply is furnished in the said manner. As is seen from the pahanies for several years, petitioner is not in possession. If entry in the revenue records truly reflects the physical possession and if assignment was not granted to any other

person as sought to be projected, petitioner ought to have submitted appropriate application under the provisions of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act') before the competent authority. Except filing applications for eliciting information, no application is filed by the petitioner for carrying out corrections in the revenue records, if there are errors, or appropriate application to enter the name of the petitioner in the revenue records. Further, if the petitioner has any grievance against the decision of the Tahsildar, he could have availed the remedy of revision under Section 9 of the Act. Thus, none of these steps were taken by the petitioner and straight away this Writ Petition is filed alleging as if there is alteration in the revenue records in the year 2016-17.

4. Having regard to the facts noted above, the Court is not inclined to entertain the Writ Petition, at this stage.

5. The Writ Petition is accordingly disposed of granting liberty to the petitioner to file appropriate application before the appropriate authority, if so advised, ventilating his grievance regarding his claim of ownership/possession over the property. It is for the authority to consider such request of the petitioner and take suitable decision as warranted by law as and when such application is filed. There shall be no order as to costs.

Miscellaneous Petitions, if any, filed in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:12.04.2018

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