THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.12919 OF 2018

Dated:16.04.2018

Between:

Smt. Tetala Brundavathi,
W/o. Ramakrishna Reddy,
Aged 40 years, Occ: Housewife,
R/o. D.No.4-153/2, Ajantha Park,
R.R. Venkatapuram, Gopalapatnam,
Visakhapatnam .. Petitioner

And

State of Andhra Pradesh, rep., by its
Secretary, Revenue Department,
Amaravathi, Guntur District and others .. Respondents

The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue appearing for respondents 1 to 3.

2. This Writ Petition is filed challenging the notice dated 09.01.2018 issued by the Revenue Divisional Officer, Anakapalli, to appear before him on responding to appeal preferred by the unofficial respondent. In the appeal preferred by the unofficial respondent, she sought order from the appellate authority to delete the name of the petitioner in the record of rights; to include her name as owner in the record of rights and to issue pattadar passbooks and title deeds in her favour, as prayed in paragraph (o) of the appeal. Thus, it is a comprehensive appeal preferred by the aggrieved person against the entries made in the revenue records.

3. Learned counsel for the petitioner submits that such appeal is not maintainable by placing reliance on the decision of this Court in ***Ratnamma v. Revenue Divisional Officer, Dharmavaram, Anantapur District***[1]. As seen from paragraph No.21 of the judgment, the Division Bench held that appeal does not lie against issuance of pattadar passbooks and title deeds. The said decision does not come to the rescue of the petitioner, when an appeal is preferred by the aggrieved person against the entries made in the revenue records and for correction of entries made thereof. Thus, it cannot be said that the Revenue Divisional Officer has no competence to entertain the appeal filed by the unofficial

[1] 2015 (6) ALD 609 DB

respondent. Therefore the Writ Petition merits no consideration and the same is liable to be dismissed.

4. The Writ Petition is accordingly dismissed in *limine.* However, liberty is granted to the petitioner to raise all contentions as available in law on the merits/claims of the unofficial respondent before the Revenue Divisional Officer. The Revenue Divisional Officer shall consider the said contentions/objections raised by the petitioner objectively. It is made clear that there is no expression of opinion on the merits of the case. 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:16.04.2018
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