

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.12923 OF 2018

Dated:16.04.2018

Between:

Smt. K. Raziya Bee, W/o. K.S. Abdul Kareem,
Aged about 80 years, rep., by her Grand Son
Mohd. Asif K.S., S/o. K.S. Jeelan, aged
About 29 years, R/o.Plot No.166/B, Lakshmi
Narsimha Nilayam, Chanda Nagar, Hyderabad
And others

.. Petitioners

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Velagapudi, Amaravathi,
Guntur District and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.12923 OF 2018****ORDER:**

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

2. This Writ Petition is filed alleging that in spite of application dated 03.06.2017 made by the 1st petitioner to rectify the mistakes committed in the revenue records in Survey No.58 of Lingapuram Village, Mylavaram Mandal, the same is so far not undertaken by the respondents.

3. According to petitioners, wife of the 1st petitioner and her husband, by name, Syed Ameer, purchased property to an extent of 370 acres in Lingapuram Village from private parties in the year 1943 and other petitioners are legal heirs of late Syed Ameer. Earlier when the land was sought to be grabbed by the respondents, petitioners filed W.P.No.1934 of 1967. This Court by judgment dated 16.10.1969 allowed the said Writ Petition. Thereafter, petitioners claimed to be in possession of the said land. While so, illegally in the year 2017 status of the land is changed to that of the Government land affecting the rights of the petitioners. However, no extract of the revenue records is filed disclosing reflection of the names of the petitioners in the revenue records and subsequent change.

4. It is seen from the record that the issue before this Court in W.P.No.1934 of 1967 was to declare the concerned village as Inam village and in implementation of the judgment of this Court, the Government issued orders deleting the village from the notification

earlier issued under the Andhra Pradesh (Andhra Area) Estates Land (Reduction of Rent) Act, 1947 (for short, 'the Act'). Present issue is change of classification as Government land.

5. Learned counsel for the petitioners was asked to clarify as to when such changes took place. He would say that till 2017, names of petitioners were reflected in the revenue records. However, he could not clarify, when such changes took place and what steps were taken by them.

6. Petitioners filed representation/application, dated 03.06.2017, which does not contain essential details. In the absence of relevant material based on record and on a perusal of the representation submitted, no direction as sought for by the petitioners can be granted.

7. Unless petitioners assert that the revenue records continue to reflect their names till 2017 and only in 2017 without following due process, the revenue records were suddenly changed, no direction can be given. Even assuming that the revenue records were changed without notice to the petitioners, they ought to have availed the remedy of appeal ventilating all their objections. Further, learned counsel for the petitioners was asked as to whether any application was made under the Right to Information Act, 2005 to elicit information as to whether the revenue records were changed; in what manner they were changed and when those changes were made affecting the rights of the parties. Except the judgment of this Court, alleged sale deed and the Government Order, dated 21.06.1975, de-notifying the village under the Act, no other material is placed on record. Thus, the Court is not

inclined to entertain the Writ Petition and the same is liable to be dismissed.

8. The Writ Petition is accordingly dismissed in *limini* leaving it open to the petitioners to work out the remedies as available to them to obtain information to prosecute their grievance, as permissible in law. There shall be no order as to costs.

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

Date:16.04.2018

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P. NAVEEN RAO, J

