

THE HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.5168 OF 2017

ORDER:

The defendants in O.S. No.376 of 2007 are the revision petitioners herein. The revision petitioners filed I.A. No.237 of 2017 under Rules 1 & 5 of Order XVI of the Code of Civil Procedure, 1908 to summon the Tahasildar, Ramagundam Mandal, Karimnagar District, to give oral evidence and bring on record (sic.) relating to subject matter of the CRP. The learned trial judge through order dated 07.09.2017 dismissed the said application. Hence, the civil revision petition.

The revision petitioners have filed the instant application to get oral and documentary evidence on the action of Tahasildar in issuing pattadar pass books which are mutated in the revenue records.

Firstly, this Court is of the view that the revision petitioners, if aggrieved by the action taken by the Tahasildar, constitute an independent grievance under the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971, and ought to have worked out their remedies as per the scheme of the said Act.

Be that as it may, the respondent has filed the suit for declaration of title and for perpetual injunction in respect of the plaint schedule property. As it is well settled the title is considered as an independent and peripheral circumstance and though for different reasons the trial court has rightly rejected the prayer to summon the Tahasildar either to give evidence or to produce the record.

By leaving the objections open for the revision petitioners herein to raise in this behalf, the civil revision petition is dismissed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

S. V. BHATT, J

Dt:26.02.2018
BV

