

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.20242 OF 2007

ORDER:

This writ petition is filed, seeking to declare the order passed by the Revenue Divisional Officer, Chevalla Division, Ranga Reddy District-1st respondent in Memo Lr.No.C/1850/2007, dated.05-06-2007 as bad, illegal and in violative of Articles 14 and 21 of the Constitution of India.

The grievance of the petitioners in this writ petition is that they are the pattedars in respect of agricultural lands to an extent of Ac.9.36 guntas situated in Sy.No.431 of Shabad Village and Mandal, Ranga Reddy District. The said lands were succeeded from their ancestors and their names have been incorporated in the pahanies and revenue records. After 1994-95 there was no occasion for them to verify the entries in the revenue records with regard to their possession or alienation. Having come to know about the orders passed by the Mandal Revenue Officer, Shabad Mandal-5th respondent on 31-07-2007 incorporating the names of the unofficial respondents in the revenue records, they filed an appeal before the Revenue Divisional Officer (West) Division, Ranga Reddy District under Section 5(B) the *A.P. Rights in Land and Pattadar Passbooks Act, 1971* (for short "the Act") read with Rule 22-A of the *A.P. Rights in Land and Pattadar Passbooks Rules*. The petitioners have categorically pleaded in ground No.6 of the grounds of appeal that there was no notice and notification in Form No.VIII

and the appeal has been filed from the date of knowledge and hence there is no delay. However, upon perusal of the impugned order, the Revenue Divisional Officer (West) Division, Ranga Reddy District without appreciating the facts/verifying the records and without giving any personal hearing, has rejected the appeal at the stage of admission on the ground of delay. The said order passed is one without giving any opportunity and the same is liable to be set aside.

Accordingly, the writ petition is allowed setting aside the order in Memo Lr.No.C/1850/2007, dated.05-06-2007 passed by the 1st respondent and 1st respondent is directed to entertain the appeal afresh and decide the matter on merits of the case since the petitioners are depending on the agricultural lands and their valuable rights cannot be taken away showing technical reasons. The petitioners are also at liberty to file fresh grounds and any evidence available before the 1st respondent at the time of hearing. No costs. As a sequel, the miscellaneous petitions, pending if any, shall stand closed.

T.AMARNATH GOUD, J

Date: 13-07-2018.
TSNR