

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.19079 of 2018

ORDER:

Heard Mr.E.V.V.S.Ravi Kumar for petitioner and the learned Assistant Government Pleader (Revenue) for respondents.

The petitioner challenges the order of Joint Collector, Karimnagar, communicated through Memo dated 06.04.2018. The operative portion of the order reads as follows:-

“Aggrieved by the orders of the Revenue Divisional Officer, Karimnagar, Sri Mohd.Iqbal & others have filed revision petition before the Joint Collector, Karimnagar and similarly Smt.Rasool Bee also filed writ petition in the High Court in W.P.No.39253/ 2017 against the orders of the Revenue Divisional Officer and the Court passed order of interim suspension. Hence, the request of Smt.Rasool Bee vide reference 5th cited, to issue directions to the Tahsildar, Karimnagar to incorporate her name in respect of Sy.No.535 to an extent of 0-38 guntas situated at Karimnagar in pahanies from 2008-09 to till date, as per the orders issued by the Tahsildar, Karimnagar vide proceedings 2nd cited cannot be considered, pending final orders on the revision petition filed by Sri Mohd.Iqbal & others and writ petition filed by her.”

Mr.Ravi Kumar makes a few serious submissions against the impugned Memo and contends that the order amounts to refusing to exercise the jurisdiction conferred on 2nd respondent. According to him, if revision is pending nothing prevents the Joint Collector, Karimnagar, to take a holistic view in maintenance of record of right for Sy.No.535 (Ac.0-38 gts.).

The Assistant Government Pleader contends that the petitioner ought to have taken steps for impleading herself in the

pending revision, establish her claim and seek for maintenance, correction or amendment of record of right for an extent of Ac.0-38 gts. in Sy.No.535. Once the revision is disposed of, the recording authority i.e., 4th respondent will have full clarity on the inclusion or exclusion of name in respect of Sy.No.535.

I have perused the record and noted the limited submissions made by the counsel appearing for parties.

This Court is in substantial agreement with the objections raised by the Assistant Government Pleader.

The writ petition is disposed of by giving liberty to petitioner to file applications both for impleadment as one of the parties and for expeditious disposal of the revision pending before the Joint Collector, Karimnagar, under the A.P. Rights in Land and Pattadar Pass Books Act, 1971. As and when such applications are filed, the Joint Collector, Karimnagar, is directed to consider the same and dispose of the revision within three months thereafter, keeping in view the ratio of this Court in *KURUVA HANUMANTHAMMA Vs. PRINCIPAL SECRETARY, REVENUE DEPARTMENT, HYDERABAD*.¹

Miscellaneous petitions, if any, pending, shall stand closed.
No order as to costs.

S. V. BHATT, J

Dt: 11-06-2018
Prv

¹ 2017 (6) ALT449

