

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

I.A.No.1 of 2018
IN/AND
WRIT PETITION No.13916 of 2007

ORDER:

This writ petition is filed to declare the action of the Panchayat Secretary-fourth respondent in issuing altered Faslies viz., 1413, 1414 and 1415 duly inserting the name of the 5th respondent in Sy.No. 3, admeasuring an extent of Acs. 87.70, situated at Dummugudem village and Mandal, Khammam District, contrary to the entries made under Record of Rights Act, in favour of the petitioners by orders of the Mandal Revenue Officer, dated 29.3.1997 and subsequent entries made in I-B ROR and No.4 Register, without following due process of law, as illegal and arbitrary

I.A. No.1 of 2018 is filed to bring on record the legal representatives of the deceased third petitioner as petitioners 4 to 6.

In the affidavit filed along with the said I.A., it is stated that the third petitioner died on 5.10.2007 and the proposed petitioner Nos. 5 and 6 are the sons of the third petitioner and the proposed petitioner No.4 is the wife. A copy of the death certificate is also enclosed along with the said I.A. No counter affidavit is filed opposing the said I.A.

For the reasons stated in the accompanying affidavit, I.A. No.1 of 2018 is ordered impleading the petitioner Nos. 4, 5 and 6 as legal representatives of the deceased third petitioner in the writ petition.

Coming to the facts of the writ petition, according to the petitioners, the 5th respondent managed the 4th respondent, who is the Panchayat Secretary of Dummugudem Gram Panchayat and tampered the record for three Faslies viz., 1413, 1414 and 1415 and inserted new pages for the said Faslies, by including the name of the 5th respondent as enjoyer against the total extent of the said land.

Counter affidavit has been filed by the District Collector, Khammam stating that the fourth respondent, who is the Panchayat Secretary, tampered the records by inserting new sheets and brought the dead person as pattadar in pattadar column. He violated the provisions of the Record of Rights Act and the rules, as he changed the pattadar column and occupants column etc. It is also stated in the counter affidavit that the fourth respondent-Panchayat Secretary was served with the charge memo calling for his explanation and the said matter is pending. It is also specifically stated that the action is being taken for rectification of the defective entries as per rules.

In view of the categorical statement made in the counter affidavit, no further orders are necessary in the writ petition. Accordingly, the Writ Petition is closed.

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

KONGARA VIJAYA LAKSHMI, J

Date: 31/07/2018
Slk

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI



Date: 31/07/2018

slk