HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.19010 OF 2018

ORDER:

The petitioners aggrieved by the alleged unauthorised and without proceedings changes made in the Adangal, made representation dated 04.04.2018 to 3rd respondent. The prayer in the writ petition is against the inaction in disposing of the representation dated 04.04.2018.

Mr.Chalapathi Rao contends that the petitioners as well would have gone before the Revenue Divisional Officer, according to the procedure, provided for, by filing an appeal against the unauthorised and uninformed changes made in the Adnagal. In the case on hand, according to him, the petitioners are handicapped, for the petitioners do not know the persons in whose favour the entries have been made and their whereabouts are not known. Hence, the writ petition is filed for a direction as referred to above.

I have perused the record and particularly taken note of the following allegations made in the writ affidavit.

> "I further submit that the name presently surfacing in the revenue records are fictitious and the whereabouts of the persons whose names are surfacing in the revenue records in the place of our names for the lands in Sy.No.454 admeasuring an extent of Acr.0.23 Gts. And in Sy.No.455 admeasuring an extent of Acr.1-29 Gts. situated at Keshireddy Pally village, Bachanapet Mandal, Jangaon District (Formerly Warangal District) are not known to the petitioners and the respondent no.3 has also failed to provide any details of such persons or to act upon our representation made to him."

It may be that the petitioners are handicapped for want of the details of persons in whose favour the entries have been incorporated. That is no reason to straightaway file the writ petition under Article 226 of the Constitution of India. The petitioners as rightly contended by the learned Assistant Government Pleader, show the persons in whose favour the corrections are made as care of Tahsildar/3rd respondent and file the appeal. Once notice from the appellate authority is sent to 3rd respondent, the 3rd respondent is under obligation to produce the file which resulted in changes carried out to the Adangal. This Court is of the view that keeping in view what is observed above, the petitioners can avail the remedy of appeal and this Court has no reason to doubt that the Revenue Divisional Officer will call for the entire record from 3rd respondent, verify the legality and passes orders within three months from the date of receipt of appeal.

The writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

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S.V.BHATT, J

Date:25.07.2018
Stp