

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.20700 of 2018

ORDER:

Heard Mr.P.Venu Gopal, learned Senior Counsel representing Mr.Siddharth Sarma for petitioner and the Assistant Government Pleader (Revenue) for respondents 1 to 4.

With the consent of learned counsel appearing for parties, the writ petition is disposed of at the stage of admission.

The petitioner challenges the order of 3<sup>rd</sup> respondent in Rc.No.A3/2481/2005 dated 06.01.2007 as wholly illegal and in the fact situation of the case, the jurisdiction of appellate authority under Section 3 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act') is not attracted and further on merits and entitlement, the petitioner or its predecessor-in-interest purchased the property as early as 1987.

A few legal grounds on the findings recorded by the 3<sup>rd</sup> respondent are also stated by the learned Senior Counsel.

Mr.Ravinder Reddy firstly objects to the maintainability of writ petition by referring to Section 9 of the Act. According to him, this Court in *KURUVA HANUMANTHAMMA Vs. PRINCIPAL SECRETARY, REVENUE DEPARTMENT, HYDERABAD AND ANOTHER*<sup>1</sup> has considered in great detail the scope and jurisdiction of 2<sup>nd</sup> respondent under Section 9 of the Act. The petitioner can file a revision before the 2<sup>nd</sup> respondent and the 2<sup>nd</sup> respondent can be directed to call for the

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<sup>1</sup> 2017 (6) ALT449

record from the offices of respondents 3 and 4 and dispose of the revision filed by petitioner, keeping in view the ratio laid down by this Court in *KURUVA HANUMANTHAMMA*'s case (supra).

I have perused the order impugned in the writ petition and also the availability of effective remedy under Section 9 of the Act.

Keeping in view the peculiar circumstances of the case, the Court directs the parties to maintain *status-quo* vis-à-vis revenue records/ 1-B Register in all aspects for a period of three months from today.

The petitioner is given liberty to file revision within three weeks from today by enclosing a copy of this order.

The 2<sup>nd</sup> respondent issues notices to contesting parties, calls for the record from the offices of respondents 3 and 4 and disposes of the revision within three months from today.

In the event of extending the hearing beyond three months period, it is open to petitioner or respondents 5 to 10 to pray for appropriate orders from 2<sup>nd</sup> respondent.

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

Miscellaneous petitions, if any, pending, shall stand closed.

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S. V. BHATT, J

Dt: 21-06-2018

Note:

Issue C.C. in two days

(B/o)

Prv

