HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.22257 OF 2018

ORDER:

Heard Mr.V.Sai Kumar for petitioner and the learned Assistant Government Pleader for Revenue.

The petitioner challenges the proceedings of 4th respondent dated 08.03.2018 issued under the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act').

One of the grounds of challenge against the impugned proceedings is that the 4th respondent on the application filed by petitioner under Form 6-A of R.O.R. Act cannot reduce the extent already standing in the name of petitioner's mother. The further contention is that any person, if is aggrieved by inclusion of 34 cents erroneously in the Katha of the petitioner, such person ought to have filed appeal and on filing appeal, if the circumstances are made out then correction as is warranted could be undertaken. In the case on hand, the limited issue before the 4th respondent was to consider the application made by petitioner for grant of pattdar pass book, but not expand the scope of enquiry.

The Assistant Government Pleader per contra referring to the written instructions dated 30.06.2018 submits that the original inclusion of 34 cents in Katha No.386 in Survey No.838-A of Pillutla Village is prima facie without authority and entitlement. The 4th respondent merely corrected the error. Therefore, the proceedings impugned in the writ petition are valid and tenable.

I have perused the record and noted the rival submissions. Prima facie, this Court is of the view that in the case on hand, issue is on the propriety, legality or regularity etc. in maintaining revenue record and issuing pattadar pass book correspondingly. Therefore, such error can be examined and a decision is taken keeping in view the ratio laid down by this Court in *KURUVA HANUMANTHAMMA V. STATE OF A.P.*[1]. Therefore, the petitioner is given liberty to file revision under Section 9 of the Act by enclosing a copy of this order within two weeks from today. The 2nd respondent calls for record including 1B register and disposes of the revision as expeditiously as possible preferably within three months from the date of filing of the revision after issuing notice to petitioner as well as respondents 5 and 6 herein. The parties are directed to maintain status quo as on date in all aspects for a period of four months from today.

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

Miscellaneous petitions pending, if any, shall stand closed.

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S.V.BHATT, J

Date: 02.07.2018
Stp

[1] 2017 (6) ALT 449