

THE HON'BLE SRI JUSTICE A. RAJASEKHAR REDDY

WRIT PETITION No.23822 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed for the following relief :

“To declare the action of respondent No.2 in entertaining ROR Appeal No.RC.B1.510/2018, dt. 21.05.2018 filed by R.4 seeking to cancel the petitioner's pattadar passbook and title deed vide Khata No.61 issued in his favour in respect of agricultural land admeasuring Ac.0.78 cents in Sy.No.32/2 and Ac.0.63 cents in Sy.No.33/5A situated at Chinnakallepalli Village, Ghantasala Mandal, Krishna District and issuing Notice dt. 02.07.2018 as illegal, arbitrary, without jurisdiction “

Learned counsel for the petitioner as well as the counsel for the respondent Nos.1 to 3 and the learned counsel for Respondent No.4 submit that Revenue Divisional Officer has no power to cancel the passbooks, in view of the judgment reported in *Ratnamma v R.D.O., Dharmavar, Ananathapuram District*¹.

In view of the same, the impugned Order dt. 21.05.2018 passed by respondent No.2 is set aside. However, it is left open for respondent No.4 to avail the remedy of revision under Section 9 of the Andhra Pradesh Rights in Land and Pattadar Passbook Act, 1971 before the Joint Collector.

With the above observation, this Writ Petition is allowed.

A. RAJASHEKER REDDY, J

Dt: 12-11-2018

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¹ 2015 (6) ALD 609 (DB).

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