

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.26491 of 2018

ORDER:

Heard Mr.V.Ravi Kiran Rao for petitioners and the learned Assistant Government Pleader for respondents 1 to 3.

Mr.Ravi Kiran Rao contends that the order of respondent No.2 bristles with innumerable illegalities. The 2nd respondent does not refer to the authority or jurisdiction under which the order impugned in the writ petition is passed. In conclusion, he contends that the order impugned is irregular, incorrect, illegal and lacks jurisdiction.

The Assistant Government Pleader per contra contends that the order impugned, no doubt, is silent about the section which is relied on for passing the order impugned in the writ petition. According to him, both for continuation or correction of entries, even in cases like this, the revisional jurisdiction of District Collector is very much available and he places reliance on the decision of this Court in ***Kuruva Hanumanthamma v. Principal Secretary, Revenue Department, Hyderabad And Another***¹ .

¹ 2018 (1) ALD 290

According to him, this Court considered the jurisdictional aspect of Section 9 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act') and interpreted correct legal propriety etc. The petitioners, if avail the remedy of revision, it is further contended that the District Collector is under obligation to call for the entire record and also Adangals and decide the *lis* between the petitioners and respondent Nos.5 to 6 for the purpose of the Act.

I have perused the order impugned and keeping in view the consideration of scope of revision under Section 9 of the Act, this Court is in agreement with the contentions raised by the Assistant Government Pleader. Hence, the petitioners are given liberty to file revision by enclosing a copy of this order within four weeks from today.

Mr.Ravi kiran Rao has brought to the notice of this Court the direction issued by the Revenue Divisional Officer for making changes forthwith.

Since the revision is felt as an effective remedy, either for preservation or continuation of entries in Record of Rights as in existence on 13.06.2018, would meet the ends of justice. Hence, the parties are directed to maintain entries in Record of Rights etc., as on

13.06.2018 for a period of eight weeks from today or till the revision is disposed of.

The revision is disposed of keeping in view the ratio laid down by this Court in ***Kuruva Hanumanthamma's case***, within eight (08) weeks from today.

Writ petition is accordingly disposed of. No order as to costs.

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

Date: 31.07.2018
dv



S. V. BHATT, J

