

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.33434 of 2018

ORDER:

The present Writ Petition came to be filed seeking issuance of writ of mandamus declaring the inaction of the respondents 2 to 4 in considering and disposing of representation of the petitioner dated 06.07.2018 objecting for any changes in the revenue records in respect of the land admeasuring Ac.1.10 gts., in Sy.No.118 and also further extent of land admeasuring Ac.1.20 gts., in Sy.No.118 situated at Pinapakapatti Nagar Revenue Village Burgampahad Mandal of Bhadravadi Kothagudem District as illegal, improper and incorrect.

2) The averments in the affidavit filed in support of the writ petition show that the petitioner claims to be in possession of the subject lands. According to her, the land to an extent of Ac.1.10 gts in Sy.No.118 is in the name of her husband and an extent of Ac.1.20 gts., in Sy.No.118 stands in her name. She claimed to be in possession of the subject land since last 35 years. It is said that due to old age, she gave the subject land on lease viz., 10 bags per acre to the unofficial respondents i.e., respondents 5 and 6. Since they are not paying the lease amount, she reserved her right to take action for recovery of the said lease amount. While things stood thus, the unofficial respondents without having any right, title or

possession are trying to obtain passbooks from the 4th respondent to deprive the right of the petitioner over the subject land. She claims to have made a representation on 12.10.2017 in this regard. Thereafter, she also claims to have made another representation on 06.07.2018 to the respondents 2 to 4 objecting for changes to be made in the revenue records and not to entertain the claim of the respondents. She apprehends that the Tahasildar may effect changes in the revenue records without taking into consideration the objections raised by the petitioner while issuing pattadar passbooks.

3) The learned Assistant Government Pleader would submit that if the petitioner is in possession of the property and if she has any right over the property, definitely the Tahasildar would follow due process of law while issuing pattadar passbooks or making any changes in the revenue records.

4) Having regard to the above, the Writ Petition is disposed of directing the 4th respondent/Tahasildar or any other authority dealing with the issuance of the pattadar passbooks in respect of the subject land, to follow the due process of law. In case the petitioner has any right, the authorities shall issue notice to the petitioner as well before affecting any changes in the revenue records, if not already done.

5) There shall be no order as to costs. Miscellaneous Petitions, pending if any in this Writ Petition shall stand closed.

C. PRAVEEN KUMAR, J

Date: 19.09.2018

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