

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40426 of 2018

ORDER:

Learned counsel for the petitioner submits that the petitioner made an application 17-11-2016 for correction of revenue records in his favour in respect of land to an extent of Ac.0-62.852 cents in D.No.665/2, 667/3 of Turkapalem Grampanchayat, Nallapadu, Guntur District, basing on the judgments passed by this Court in WP.No.4297 of 2013 and Batch, dated 14-07-2016 and also S.A.Nos 1091 and 1092 of 2010, dated 21-04-2014. The 5th respondent-Tahsildar without issuing notice and without affording an opportunity of hearing to the petitioner rejected his application and issued the impugned proceedings. Aggrieved by the same, the present writ petition is filed.

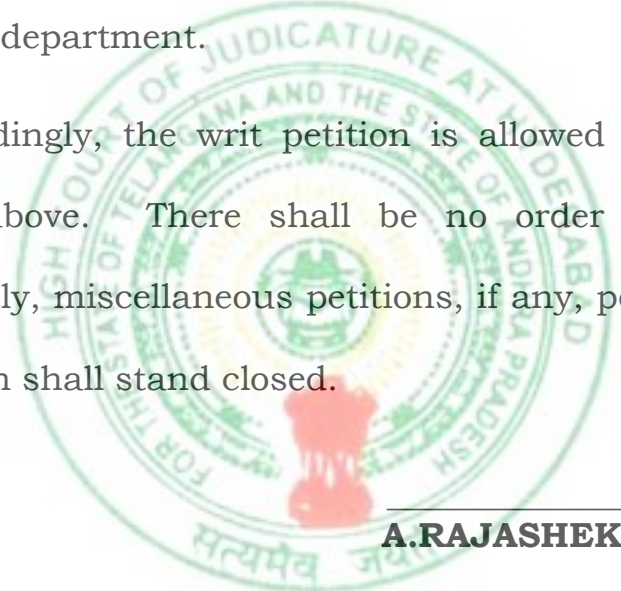
The written instructions produced by learned Assistant Government Pleader for Revenue stating that the subject properties are entered in Section 43 Register of Endowments Act and they are classified as temple Bajantri Service as per RSR of Nallapadu Village. As such, the 5th respondent has rightly rejected the application of the petitioner.

In this case, it is to be seen that the petitioner relied on the judgments of this Court stated supra in support of his case. The grievance of the petitioner is that had the 5th respondent issued notice, he could have placed relevant

material before him in support of his case. A reading of the impugned proceedings shows that no notice was issued to the petitioner before issuing the same.

In view of the facts and circumstances of the case, the impugned order is set aside. The 5th respondent is directed to reconsider the same. It is open for the petitioner to place all relevant material before the 5th respondent and the 5th respondent shall consider the same in accordance with law after issuing notice to the petitioner and as well as 2nd respondent department.

Accordingly, the writ petition is allowed to the extent indicated above. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.



A.RAJASHEKER REDDY,J

14-11-2018

Nvl