

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.42452 of 2018

ORDER :

The case of the petitioner is that he is the owner and possessor of Ac.0.46 cents of land in Sy.No.389/1 of Budavada village, which was gifted by his paternal grandfather under a registered gift deed dated 09.03.2010. Pattadar passbook and title deeds were also issued to him in respect of the said property. Subsequently, on the ground that a portion of the said property was acquired for road, the revenue authorities have reduced it to Ac.0.40 cents. Further, at the instance of the neighbouring land owner namely Bachina Srinivasulu, a survey was conducted for fixing boundaries and the 4th respondent-Tahsildar issued notice alleging that there is variation in the extent of land recorded in the revenue records and the land in actual enjoyment of petitioner in Sy.No.389/1 and called upon him to produce the registered documents for verification on 23.07.2018. After verification, the 4th respondent-Tahsildar threatened to reduce the extent of his land in Sy.No.389/1. Therefore, he filed a representation dated 30.07.2018 before the 2nd respondent-District Collector about the illegal acts of the 4th respondent. As no action is taken by the 2nd respondent, the petitioner filed this writ petition.

Heard learned counsel for petitioner and the learned Assistant Government Pleader for Revenue.

Learned counsel for petitioner submitted that pursuant to the notice issued by the 4th respondent-Tahsildar, the petitioner has approached the 4th respondent and submitted objections contending that the name of petitioner cannot be deleted nor the extent of land found in the name of

petitioner can be reduced. However, without considering the said objections, the 4th respondent is trying to take steps for reducing the extent of land recorded in the name of the petitioner.

In this case, having issued notice, the 4th respondent-Tahsildar should have considered the objections of petitioner. But, even according to the learned counsel for petitioner, petitioner has not filed written objections before the 4th respondent, but the petitioner has only orally explained to the 4th respondent.

In view of the same, it is open for the petitioner to submit a representation along with relevant documentary evidence in pursuance to the notice of 4th respondent within a period of two weeks from today. On receipt of such representation, the 4th respondent is directed to consider the same and pass appropriate orders after affording opportunity to the petitioner as well as other affected parties. Till such time, *status quo* regarding revenue entries standing in the name of petitioner in respect of subject land shall be maintained.

With the above directions, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

A. RAJASHEKER REDDY, J

26th November, 2018

ajr