

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.45460 OF 2018

O R D E R:

The grievance of the petitioners is that the 5th respondent filed appeal No.8/2018 against the endorsement dated 22.06.2018 passed by the Tahsildar, Jagareddygudem, and also seeking for cancellation and issuance of pattadar pass books and title deeds in her favour in respect of the subject land, before the 3rd respondent who has no jurisdiction.

Learned Counsel for the petitioners submits that the Revenue Divisional Officer-3rd respondent has no power to order for cancellation in view of the Judgment rendered by the Division Bench of this Court in ***Ratnamma v. Revenue Divisional Officer [(2015) 6 ALD 609 (DB)]***, and as such he cannot entertain the appeal.

Heard both sides.

Appeal is basically filed against the order dated 22.06.2018 passed by the Tahasildar, which pertains to grant of mutation. As submitted by the learned counsel for the petitioners, the Revenue Divisional Officer has no power to order for cancellation of Pattadar Pass Books in view of the aforesaid Judgment in ***Ratnamma*** case. But, as far as challenging of endorsement dated 22.06.2018 issued by the

Tahsildar, is concerned, it is for the 3rd respondent to consider the same.

In view of the aforesaid facts and circumstances it is open for the petitioners to raise all their objections in the appeal pending before the 3rd respondent and the 3rd respondent is obligated to consider all these aspects and dispose of the said appeal within a period of four months from the date of receipt of a copy of this order after issuing notice to the parties.

Accordingly the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous applications pending, if any, shall stand closed.

14.12.2018
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A.RAJASHEKER REDDY, J