THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 46800 OF 2018

O R D E R :

Petitioners claim to be the owners and possessors of agricultural land in an extent of Acs.3.20 guntas covered by Survey Nos. 97/1 of Ryalampadu Village, Alampur Mandal, Mahaboobnagar District as successors of his father, who was assigned the land during 1956. It is their case that they have been cultivating the land by paying the land revenue to the government periodically. While so, the unofficial respondents got their names mutated in the Adangals in Survey No. 97/A1 to an extent of 5 guntas and 97/A2 to an extent of 5 guntas, Survey No. 97/A3 to an extent of 5 guntas and are now seeking for mutation in Survey No. 97/1 in an extent of Acs.3.20 guntas. While the matter stood thus, the unofficial respondents have submitted a representation to the 4th respondent to cause mutation / rectification of the revenue entries in records of rights in their favour in respect of the subject property. The petitioners have also submitted a detailed representation on 22.10.2013 to the 1st respondent that they are in continuous possession of the schedule land for 55 years, and in support thereof, enclosed the revenue receipts and water receipts, but however, for the reasons best known, the authorities have not taken any action thereon as yet. Hence, the Writ Petition.

Heard learned counsel for the petitioners as well as learned Government Pleader for Revenue (Telangana).

It is settled now by various judgments of this Court that in terms of Section 3(3) of the 1971 Act, no correction can be made by the Tahsildar after the first year and with respect to any changes in the revenue records, thereafter, the aggrieved party need to approach the Joint Collector, invoking the revisionary jurisdiction.

Inasmuch as the petitioners have not chosen to make a proper Application, may be on account of illiteracy and ill-advise, the representation said to have been made by them to the 2nd respondent District Collector so as to forward the same to Respondents 3 and 4 – Revenue Divisional Officer and Tahsildar on 22.10.2013 seeking to correct the entries in the revenue records, be made over to the 3rd respondent Revenue Divisional Officer - competent authority, who, in turn, shall examine the same, treating it as the Revision filed under Section 9 of the said Act and process the same. Needless to mention that before passing any orders, the petitioners shall also be given an opportunity of hearing, as mandated under the provisions of the Act. If any further information is required from the petitioners, the Revenue Divisional Officer shall issue notice calling them upon to submit such information.

Subject to the above, the Writ Petition is disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

26th December 2018

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