THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.7860 OF 2019

DATED :16-04-2019

Between :
Nagotu Vasantham S/o.Rajanna
Aged 68 years, C/o.N.Shyam Sunder,
H.No.12-12/13-16, Gouthaminagar,
Backside of Trinity High School,
Mancherial-504208.

.. Petitioner

And

The State of Telangana rep.by its
Principal Secretary, Revenue Department,
Secretariat Buildings, Hyderabad and others.

.. Respondents

This court made the following :

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ORDER :

Petitioner claims that he owns land to an extent of Ac.5-30 guntas in Sy.No.264 (khata No.589) of Devulavada Village (Shivar) of Kotapalli Mandal of Mancherial District. However, in the revenue records to an extent of Ac.1.3500 guntas was recorded in the name of petitioner and for balance extent of land ownership was changed in favour of other persons. Having come to know the change effected in revenue records, a representation was made in the month of January, 2019 acknowledged by Tahsildar. Alleging inaction on the said representation, this writ petition is filed.

02. On the perusal of the representation made by the petitioner enclosed as Ex.P.2 at Page No.17 of the writ petition paper book, it is apparent that revenue records are changed mutating the names of persons, whose names have been mentioned by him in the representation and he alleges that he did not sell the land claimed by him. Therefore, change could not have been effected reflecting the names of unconcerned persons and the same should be rectified. Section 5 (6) of A.P. Rights in Land and Pattadar Pass Books Act, 1971 (for short "the Act") confers limited jurisdiction in the Tahsildar to entertain the review to carry out clerical errors in the passbooks already issued by him on an application filed under Section (4) of the Act. Thus, this representation cannot be treated as review and no direction can be issued to Mandal Revenue Officer to undertake the correction of errors in revenue records, as that power is available limited to

the extent of correction of clerical errors in the passbooks. Though the remedy of appeal is available to the petitioner, as already period of limitation is over no such appeal can be preferred. However Section 9 of the Act enables the revisional authority to *suo motu* entertain the revision or on an application filed by the aggrieved person and Section 9 does not fix time limit for filing such application, but ordinarily should be preferred within 'reasonable time'. What is 'reasonable time' depends on the facts of the given case. If the petitioner is aggrieved by wrong entries made in revenue records without affording opportunity as claimed, he can avail remedy provided by Section 9 of the Act with the revisional authority to entertain the revision and remedy the injustice caused to him.

03. Granting said liberty to the petitioner, this writ petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

16-04-2019
Nvl