

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

W.P.No.13034 OF 2019

Date: 1.7.2019

Between:

P.Ushanna and others.

.. Petitioners

And

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

.. Respondents

The Court made the following:



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ORDER:

Heard learned counsel for petitioners and learned Government Pleader for Respondents 1 to 4 and perused the material on record.

2. The unofficial respondents 5 to 7 herein preferred appeal under Section 5(5) of Telangana State Record of Rights Act against the decision of the Tahsildar, Narayanpet in deleting their father name from the revenue record in respect of Ac.2-70 cents of land in Sy.No.101/1A situated at Vallampally village of Utkoor mandal, Mahabubnagar district and also wrong entries made in favour of respondents 1 to 7 therein.

3. The petitioners herein are Respondents 1 to 4 in the said appeal. After filing appeal, the 3rd respondent-Revenue Divisional Officer vide letter dated 13.2.2019 called for a report from the 4th respondent-Tahsildar and the Tahsildar vide proceedings dated 23.4.2019 submitted report and in pursuance of the same, the 3rd respondent issued a notice dated ..5.2019, requesting the petitioners to appear before him on 15.6.2019 at 11.00 a.m. In the present writ petition, the petitioners challenge the procedure followed by the 3rd respondent-Revenue Divisional Officer in issuing the said notice and also the report of the Tahsildar dated 23.4.2019.

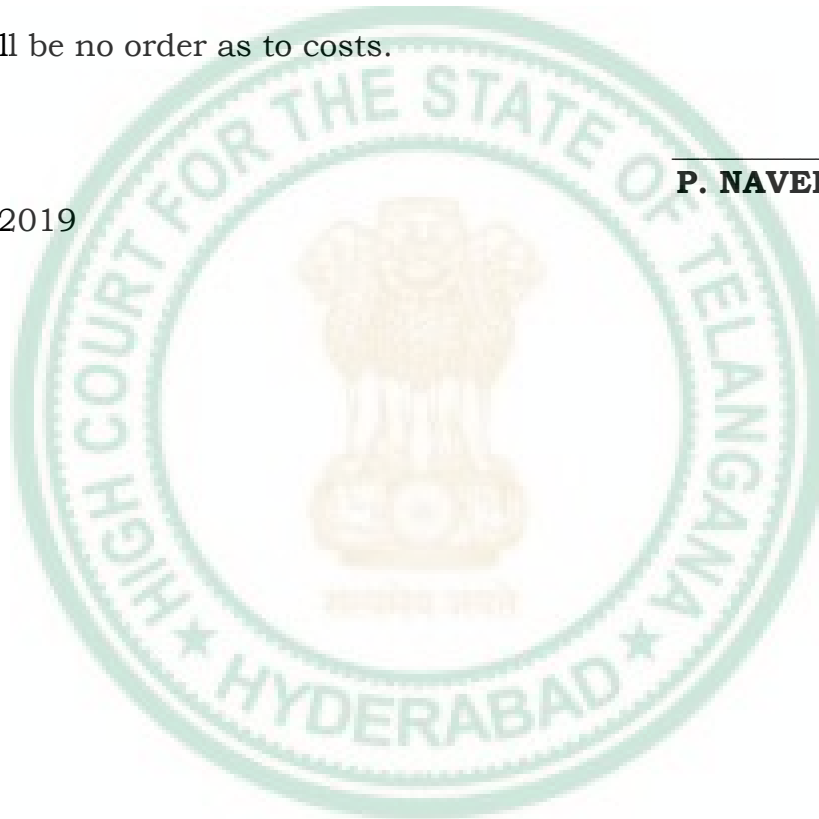
4. If the petitioners have any grievance on the nature of report submitted by the Tahsildar on 23.4.2019, it is always open for them to file objections to the said report. Though the learned counsel for the petitioners sought to take the plea of bias attitude of 3rd respondent against the petitioners, no such plea has been raised in the writ

petition. Suffice to note that since appeal is pending before the 3rd respondent, it is always open for him to call for a report from the 4th respondent and if the contents of the report are not acceptable, it is always open for the aggrieved parties to file objections for the same. Therefore, this Court is not inclined to entertain the writ petition at this stage and leave it open to the petitioners to raise all their objections before the 3rd respondent in the pending appeal.

5. For the foregoing reasons, the writ petition is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

Date: 1.7.2019
DA

P. NAVEEN RAO, J



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