

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13237 of 2019

Date : 2.7.2019

Between:

Chintala Malla Reddy S/o Lachi Reddy
Aged about 80 Yrs Occ Agriculture R/o Dacharam Village Mothkur
Mandal Yadadri Bhongir District

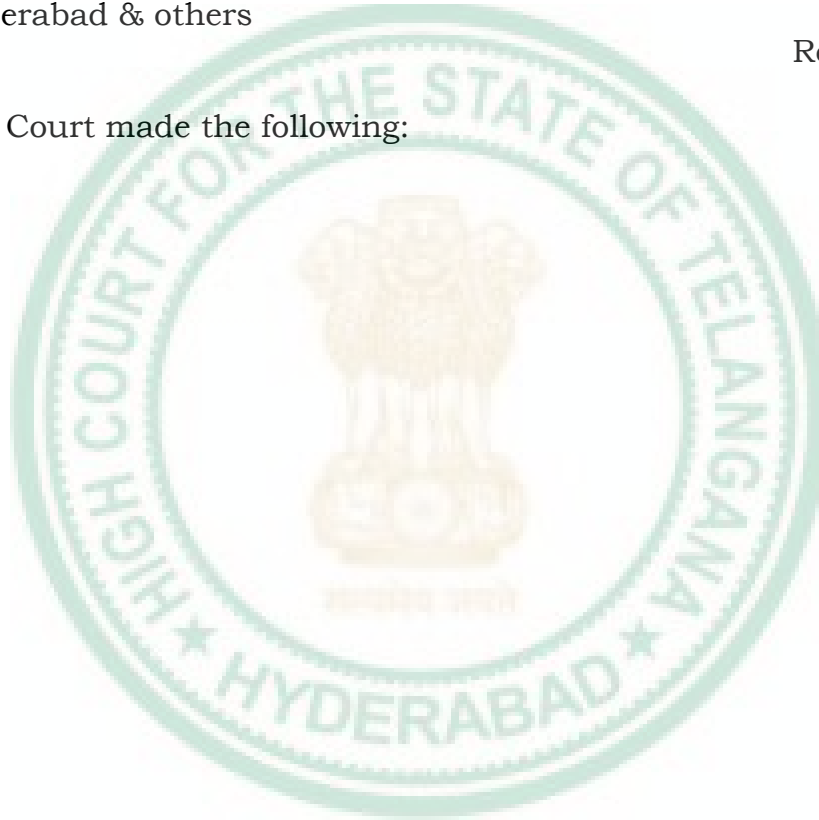
Petitioner

And

The State of Telangana and 4 Others
Rep by its Principal Secretary Revenue Department Secretariat
Hyderabad & others

Respondents

The Court made the following:



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ORAL ORDER:

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

2. Petitioner claims to be owner and possessor of land to an extent of Ac.11.26 guntas in various survey numbers in Dacharam village, Mothkur mandal, Yadadri Bhongir district. Out of total extent of Ac. 11.26 guntas, petitioner claims to have partitioned Ac.10.00 to his sons and retaining Ac.1.26 cents in survey No. 29/E and Ac.0.06 guntas in Survey No. 29/EE. According to petitioner pattadar passbooks and pahanies issued to him for the year 2017 reflect his name, whereas in the year 2018 or later his name was deleted to an extent of Ac.1.20 guntas and his name reflects only to an extent of Ac.0.06 guntas. Having come to know that such illegal entries were made, he made representation calling for information but reply given to him was that there is no record available on entries being made in such manner. On 15.4.2019 petitioner filed representation before the Revenue Divisional Officer/third respondent informing him about the alleged illegal entries made in the revenue records behind his back. Alleging inaction this writ petition is filed.

3. Facts as noted in the representation dated 15.4.2019 would show that in the year 2018 name of the petitioner was deleted to an extent of Ac.1.20 guntas and names of other persons is reflected. If that is so and even if the representation of the petitioner dated 15.4.2019 is treated as an appeal, it was not made within time limit of 30 days from the date of correction in the revenue records.

4. However, under Section 9 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 remedy of revision is available. This provision has not stipulated time limit. A revision can be preferred within a reasonable time. The Revisional Authority can go into all aspects and if necessary set aside the proceedings and can remit the matter to the Tahsildar for undertaking the exercise afresh and grant appropriate relief.

5. Apparently third party claims are created and as no appeal in prescribed form and time or revision was preferred, the relief as prayed in this writ petition cannot be granted at this stage. However, petitioner is at liberty to file revision before the Joint Collector under Section 9 of the Act, 1971 ventilating his grievance on deletion of his name in revenue records over an extent of Ac.1.20 guntas in Survey No. 29/EE Dacharam village, Mothkur mandal, Yadadri Bhongir district. If such a revision is preferred by petitioner, the Joint Collector, after affording due opportunity to both parties, dispose of the revision as expeditiously as possible, preferably within a period of two months from the date of submission of the revision. There is no expression of opinion and it is open to opposite party to raise all objections available in law opposing revision including on maintainability.

6. Subject to above, writ petition is dismissed. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

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TVK

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