

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.15176 OF 2019

Date: 23.07.2019

Between:

Vididhineni Vignesh S/o.Kistaiah,
Aged 35 yrs, Occu : Pvt. Employee,
R/o.H.No.3-119/1, Vill-Odithala,
Mandal-Chityala, District-Jayashanker Bhupalpally,
Telangana.

.....Petitioner

And

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

.....Respondents



The Court made the following:

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ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue for respondents 1 to 3.

2. Petitioner claims that he succeeded to land to an extent of Ac.3-18 guntas in Sy.No.417/C and 403/2 of Odithala Village of Chityala Mandal, Jayashanker Bhupalpally District, in a partition deed executed by his father. According to petitioner, his father's name was reflected in the revenue records earlier. Subsequently, the revenue records are changed and the names of respondents 4 and 5 are entered over the land to an extent of Ac.3-18 guntas and they were also issued pattadar pass books and title deeds. Petitioner now alleges that such action of the revenue authorities is illegal, without jurisdiction and competence. The revenue authorities could not have mutated the names of respondents 4 and 5 unilaterally.

3. If a person is aggrieved by the decision of Tahsildar, he has remedy of appeal to the Revenue Divisional Officer under the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act, 1971'). It appears, petitioner has not availed the said remedy and straight away instituted this writ petition, challenging the decision of Tahsildar.

4. Whether petitioner has succeeded to the property and whether respondents 4 and 5 are now claiming the property are the matters for the revenue authorities to look into and to take a decision. If there is serious dispute with regard to respective

claims, the remedy is in the form of adjudication by the competent Court. Further aggrieved by the alleged interference petitioner instituted injunction suit in O.S.No.250 of 2017 on the file of I-Senior Civil Judge, Warangal, to restrain the defendants therein who are respondents 4 and 5 herein from interference.

5. In the factual background the prayer in the writ petition cannot be granted. Thus, leaving it open to the petitioner to work out his remedies as available in law, including preferring appeal against mutation exercise undertaken by the Tahsildar and on any other claims of *inter se* disputes, before appropriate court, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

23rd July, 2019
Rds

