HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.18318 OF 2019

ORDER:

Heard Sri P. Padma Rao, learned counsel for petitioner and learned Government Pleader for Revenue appearing for respondent Nos.1 to 4.

2. According to the petitioner, his father, Thaksende Mengu had purchased an extent of Acs.6.28 guntas of land in Survey No.89A of Kanargam Village, Wankidi Mandal, Asifabad District, from Lendugure Arju through *Sada Bainama*, dated 15.04.1968. He also purchased another extent of Acs.6.28 guntas of land in Survey No.89/AA from Lendugure Minya in the name of his mother, Smt. Gouru Bai, through *Sada Bainama*, dated 25.05.1968. After the said acquisition, his father and mother were cultivating the lands. After the death of his father, the petitioner and his mother succeeded to the said land and are cultivating. The petitioner alleges that since the vendor of his father died issueless, other vendor i.e., Lendugure Minya and his sons have developed an evil eye on the said property and they were trying to interfere with the possession and enjoyment of the subject land.

3. The petitioner also alleges that though in the earlier revenue records, name of his father and mother mutated, illegally names of unofficial respondents are shown in Pattadar Passbooks, however, the petitioner's name continues to be reflected in possessor and

enjoyment column. The petitioner alleges that he is not issued pattadar passbooks and title deeds and the unofficial respondents are allowed to enjoy the benefits. The petitioner contends that several representations are made to do justice to him and to grant benefits under *Rythu Bandhu* Scheme formulated by the Government.

4. However, as noticed, revenue records reflect against the pattadar column, names of unofficial respondent Nos.5 and 6. Unless and until revenue records are corrected, the request of the petitioner to issue Pattadar Pass Book and Title Deed cannot be accepted by the Tahsildar. Against the entries made in the revenue records by the Tahsildar under Section 5 of the Telangana State Rights in Land Pattadar Passbooks Act, 1971, remedy of appeal is available to the Revenue Divisional Officer and under Section 9 of the Act remedy of revision is available before the Joint Collector. Thus, if the petitioner has grievance against the entries made in revenue records reflecting the names of unofficial respondents, the petitioner has to avail the appropriate remedy as available under Act of 1971. The issue as to how the names of unofficial respondents are entered and how the petitioner is setting up the claim of ownership on the land, apparently based on *Sada Bainama*, are all to be considered by a competent authority on verifying relevant records and on considering the objections of unofficial respondents. Thus, at this stage, this Court cannot go into these aspects. Therefore, the petitioner has to avail

remedy i.e., appeal/revision with supporting documents in his favour and claim the ownership of the subject land.

5. This writ petition accordingly is dismissed at the admission stage itself, granting liberty to the petitioner to avail the remedy of appeal/revision, available under the Act. In the circumstances, there shall be no order as to costs.

As a sequel, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

JUSTICE P. NAVEEN RAO,

August 23, 2019
Mgr