

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 18826 of 2019

ORDER:

Petitioner asserts that Kalleda Sayabu, Pallikonda Buchi Rajam and Pallikonda Chinna Rajam filed O.S.No.154 of 2014 in the Court of the Junior Civil Judge, Korutla, against him and others seeking declaration of title, perpetual injunction and rectification of entries in the revenue records with respect to land admeasuring 0.37 guntas in Survey No.170/LU, situated at Kathalapur Village and Mandal, Jagtial District. The petitioner being defendant No.2 in the above said suit filed his written statement. He apprehends that respondent No.4-Tahsildar, Kathalapur Mandal, Jagtial District, without conducting any enquiry and without issuing any notice to him, may entertain the application of the plaintiffs in the suit or third parties for change of revenue records based on false documents and therefore, he seeks a direction to respondent No.4 not to change the existing entries in the revenue records with respect to the above said property.

Learned Government Pleader for Revenue raises an objection with regard to the maintainability of the writ petition as the petitioner is not questioning any proceedings and filed the writ petition only on an apprehension that respondent No.4 may not consider the application of the plaintiffs/third parties.

In view of the above, one issue which requires to be considered in the present writ petition is whether any system of maintaining caveat register by respondent Nos.2 to 4. The Telangana Rights in Land and Pattadar Pass Books Act, 1971,

and the Rules made thereunder do not provide for maintenance of any such system. It is not the allegation of the petitioner that there are proceedings pending before respondent Nos.2 to 4. He filed this writ petition only on an apprehension that some parties may approach respondent No.4 seeking to change the entries in revenue records and respondent No.4 may consider the factum of their rights.

Though learned counsel for the petitioner asserts that the petitioner lodged a complaint on 19.07.2019 against respondent No.4 to the District Collector, a perusal of the same does not indicate there being any complaint against respondent No.4. In the absence of there being any caveat register maintained by the authorities nor the Rules provide therefor, it is impossible for the authorities to keep track of every case and verify with respect to each property whether anyone has filed a cautioning request or notice. As the very system of keeping track of the applications to be made with respect to a property, which the petitioner seeks to invoke is impracticable, this Court cannot issue any mandamus to the respondents to consider the representations, dated 19.07.2019 and 23.07.2019 of the petitioner.

In those circumstances, the writ petition lacks merit and is dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall also stand dismissed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:29.08.2019
kdl

