

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.20073 OF 2019

ORDER:

The order dated 07.06.2019 passed by the Tahsildar in file No.ROR/B/268/2019 is under challenge in this writ petition.

Heard the learned counsel for the petitioner at length and perused the record.

As can be seen from the material filed by the petitioner, various proceedings took place before the Tahsildar and thereafter an appeal was filed before the Revenue Divisional Officer, who in turn, remanded the case vide order dated 29.02.2016. The said remand order of the Revenue Divisional Officer was challenged before the Joint Collector, who in turn, vide orders dated 18.08.2018 had confirmed the order of the Revenue Divisional Officer noting the fact that various litigations are pending for adjudication before the Civil Courts and essentially the claim of the petitioner and the contesting respondents with respect to the property cannot be decided under the revenue proceedings. Thereafter, once again, the petitioner approached the Tahsildar seeking to implement the orders of the Joint Collector dated 18.08.2018 and also for recording his name in the revenue records as absolute owner and possessor of agricultural land to an extent of Acs.2.35 guntas in survey No.628. Adverting to the earlier proceedings, the Tahsildar while recording that there being a title dispute with respect to land admeasuring Acs.7.05 guntas in survey No.628, directed the Village Revenue Officer to enter in the revenue records as 'Dispute before the Civil Courts'. The said recording was directed to be made to avoid creating any third party

interest over the subject land by any one of the parties to the civil suit including the petitioner.

In view of the factual data narrated above, the initial order passed by the Tahsildar was subjected to challenge before the Revenue Divisional Officer, who, remanded the case to the Tahsildar. The said order of the Revenue Divisional Officer was challenged before the Joint Collector, who confirmed the order of the Revenue Divisional Officer. The net effect was that the Revenue Divisional Officer confirmed the order of the Tahsildar. Further, the Tahsildar, vide order dated 07.06.2019, opined that there is a series of civil disputes and the parties are required to agitate their title before the civil court.

In the above background, the proceedings dated 07.06.2019 refusing to enter the name of the petitioner cannot be faulted with in exercise of jurisdiction vested on this Court under Article 226 of the Constitution of India.

Accordingly, the Writ Petition is dismissed. However, the observations made in this order shall not influence the revenue authorities as this Court is not expressing any opinion with respect to the rights of the respective parties in any manner on merits.

Miscellaneous Petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

17th September, 2019.

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