

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION Nos.23531, 23535, 23538, 23540, 23544,
23546, 23549 and 23553 of 2019

COMMON ORDER:

Since the petitioners and their grievance, in these writ petitions, are one and the same, they are being disposed of by this common order.

These writ petitions are filed seeking to quash the judgments and decrees dated 15.06.2019 passed by the second respondent-Agent to Government & District Magistrate, Bhadradi Kothagudem, in different suits.

The subject suits were filed by the petitioners-plaintiffs, under Rules 7 and 14 of the Andhra Pradesh Agency Rules, 1924, read with Section 26 and Order VII Rule 1 of the Code of Civil Procedure, 1908, before the second respondent, seeking correction of entries in their favour in the revenue records and for perpetual injunction restraining the defendants therein from interfering with their peaceful possession and enjoyment over the suit schedule properties.

By separate judgments, dated 15.06.2019, the second respondent observed that, as the petitioners-plaintiffs did not avail the remedies available to them under the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act of 1971'), for correction of entries, it was not open for them to file suits for perpetual injunction and correction of entries in the revenue records, straight away, and accordingly, dismissed the said suits as not maintainable.

Heard Smt.N.Manga Shree, learned counsel for the petitioners, and learned Government Pleader for Social Welfare.

Learned counsel for the petitioners would submit that the second respondent, while coming to the conclusion that the subject suits and the

reliefs sought therein being not in accordance with law, ought to have granted liberty to the petitioners-plaintiffs to approach the appropriate authority for redressal of their grievance, and therefore, he prays for grant of such liberty.

Considering the fact that such liberty has not been granted to the petitioners-plaintiffs, while dismissing the subject suits, this Court is of the considered view that liberty may be granted to the petitioners to approach the appropriate authority seeking redressal of their grievance, when an efficacious alternative remedy is available to them.

Hence, the writ petitions are disposed of, granting liberty to the petitioners to approach the appropriate authority, i.e., the Tahsildar concerned, seeking correction of entries in the revenue records by making necessary applications under Section 3 of the Act of 1971, and on filing such applications, the said authority shall consider the same in accordance with law, in terms of G.O.Ms.No.406 dated 27.06.1990.

Pending miscellaneous petitions, if any in these writ petitions, shall stand closed in the light of this final order. No order as to costs.

JUSTI CE T.VI NOD KUMAR

Date:29.10.2019
GJ