

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.25573 OF 2019

Date: 20.11.2019

Between:

Akula Saraiah, s/o. Buchi Veeraiah, Aged about 71 years,
Occu: Agriculture, r/o. Pydipalli village, Hanamakonda
Mandal, Warangal, Warangal district.

.....Petitioner

and

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

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims that the land in Sy.Nos.269, 791/1/2, 962/1 and 962 to an extent of Ac.0.26 guntas, Ac.0.12 guntas, Ac.1.29 guntas and Ac.0.08 guntas, respectively, of Pydipalli village, Hanamkonda Mandal, Warangal district, is the ancestral property. Earlier petitioner name was mutated to the entire extent of Ac.2.35 guntas. In the recent updation of revenue records exercise, when the new pattadar pass books were issued, the extent of land is reduced by Ac.0.08 guntas in Sy.No.962. When the petitioner went to the Tahsildar, the Tahsildar stated that he has already undertaken the exercise and that he has recorded less extent of land and, therefore, he cannot now review the decision. Therefore, petitioner preferred revision/representation to the Revenue Divisional Officer on 28.10.2019. Alleging inaction on the said representation, this Writ Petition is filed.

2. *Prima facie*, it cannot be said that the Revenue Divisional Officer is negligent in acting upon revision/representation, as it was made only on 28.10.2019. Be that as it may, against decision of Tahsildar, remedy of appeal is provided by Section 5 (5) of the Telangana Rights in Land and Pattadar Pass Books Act, 1971. Under the Rules made therein, procedure is prescribed on how to prefer an appeal and proforma is also provided. Without availing remedy of appeal as required, revision/representation was made. As revision was not maintainable, direction sought in the Writ Petition cannot be granted. Granting liberty to petitioner to prefer appeal to the Revenue Divisional Officer in the prescribed proforma ventilating his grievance, if so advised, Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

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