THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.9592 OF 2014

O R D E R

The prayer of the petitioner in this case reads as follows:

> 'For the reasons stated in the affidavit accompanying, it is prayed that this Hon'ble Court may be pleased to issue a Writ, Order, or Direction, more particularly one in nature of Writ of MANDAMUS to declare the action of the 1st respondent in issuing proceedings No.B/1121/2011 dt.30.4.2013 received in the month of November, 2013, as illegal, arbitrary and against settled principles of law, principles of natural justice and as it is passed without even hearing the petitioner's counsel and to set aside the same and consequently to direct the 1st respondent to pass the orders by giving notice and opportunity to the petitioners and dispose off the petition on merits , in the Interest of Justice and pass such other order or orders as this Hon'ble Court deems dfit and proper in the circumstances of the Case.'

The grievance of the petitioner is that without affording her an opportunity of hearing, the Tahsildar, Shamshabad Mandal, passed the order dated 30.04.2013 refusing to delete names in the revenue records on the ground that the application filed by her was time barred and that he had no jurisdiction to entertain it.

The application, upon which the impugned order dated 30.04.2013 came to be passed, was made by the petitioner along with her ten vendors. The application purported to be one under Section 3(3) of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (*for brevity*, 'the Act of 1971'). Thereby, the petitioner and her vendors wanted the names of the unofficial respondents, which found mention in the revenue records in relation to the subject land, to be deleted.

Irrespective of whether the Tahsildar gave an adequate opportunity of hearing to the petitioner and her vendors, the essential question that would arise is whether the application filed by them was maintainable at all.

Section 3(3) of the Act of 1971 provides the Tahsildar, being the primary authority, with the power of rectification of the entries in the revenue records for a period of one year from the date of notification of the revenue records under Section 3(2) thereof. Rule 15 of the Telangana Rights in Land and Pattadar Pass Books Rules, 1989, also speaks to this effect and, in any event, it cannot enlarge the period mentioned in the statute.

That being so, the very application made by the petitioner and her vendors before the Tahsildar, Shamshabad Mandal, was misconceived. This Court therefore finds no grounds to interfere with the order passed by the Tahsildar holding to this effect and dismissing the petitioner's claim.

The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous, if any, shall also stand dismissed. No order as to costs.

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SANJAY KUMAR, J

14th MARCH, 2019

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