

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.39650 of 2018

ORDER:

By way of this writ petition, the revisionary order dated 20.10.2018 passed by the Joint Collector, Jagtial, under Section 9 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (*for brevity*, 'the Act of 1971'), in Revision Petition No.D1/586/2018 is called in question. By the said order, the revisionary authority recorded the fact that the respondent in the revision, the fifth respondent in this writ petition, was having possession over the land and opined that he found no reason to set aside the action taken by the Tahsildar, Raikal, Jagtial District, in July, 2017. On these grounds, the revision petition came to be dismissed.

It is an admitted fact that the petitioner filed an injunction suit against the fifth respondent in O.S.No.37 of 2017 on the file of the learned Senior Civil Judge, Jagtial. In the light of the complicated and disputed questions of fact that would arise in the context of the rival pleas put forth by the parties, this Court is of the opinion that it would be appropriate for the petitioner to seek resolution thereof before the competent civil Court.

Sri D.Pochaiah, learned counsel for the petitioner, would state that he would advise his client to seek amendment of the prayer in the pending suit or file a fresh suit, as the case may be.

Leaving it open to the petitioner to do so, the writ petition is dismissed. It is made clear that in the event the competent civil Court renders any decision as to the subject land over which the parties are fighting over, the revenue authorities would be bound to give effect to such decision in terms of Section 8(2) of the Act of 1971.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

JUSTICE SANJAY KUMAR

Date:26.02.2019

Note:

Furnish C.C. in two days.

(B/o) PGS

