

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.275 OF 2020

DATED : 08.01.2020

Between :

Syamala Ramadevi W/o.Babu Rao,
Aged about 48 yrs, Occu : Farmer,
H.No.13-58, Gumpena gudem (V),
Keshavapuram (P), Cherla mandal,
Bhadradri Kothagudem District & another.

..... Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat Buildings, Hyderabad & others.

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.275 OF 2020

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue for respondents 1 to 4.

2. According to petitioners, lands to an extent of Ac.5-40 cents was allotted to Shamala Nagamma and Ac.5-40 cents was allotted to Shamala Veeraiah in Sy.No.33 of Kesavapuram Revenue Village, and they were jointly cultivating the lands. On their respective extents, pattadar pass books and title deeds were also issued. However, petitioners now allege that without giving notice and opportunity, the entries in revenue records are altered in favour of 5th respondent. Aggrieved by the changes affected in the revenue records, petitioners claim to have placed their grievance in Prajavani to the District Collector, and the District Collector, in turn directed the Tahsildar, vide his proceedings dated 04.11.2019, to examine the grievance of petitioners and to submit report. But so far, the report is not filed. Hence, this writ petition.

3. The facts on record would disclose that the entries in revenue records are changed reflecting the name of 5th respondent, on the property claimed as belonging to petitioners in the above survey number. If that is so, the remedy available to petitioners is to go in appeal under the Telangana Rights in Land and Pattadar Pass Books Act, 1971, before the appellate authority. Once entries are made by the Tahsildar, he becomes functus officio and he cannot undertake the exercise of revision of entries already made. Power of review available to him is only to the limited extent of carrying out clerical error and what is alleged now does not amount of clerical error. That being so, merely because a

complaint was raised in Prajavani and based on the complaint, the District Collector directed the Tahsildar to look into the grievance and submit report, petitioners, cannot allege inaction and file this writ petition. No such direction can be issued by the District Collector to the Tahsildar, to look into the grievance and submit report, when the Tahsildar is not competent to undertake such exercise and the only remedy available to the petitioners is to prefer appeal. Thus, the prayer sought in the writ petition, cannot be granted.

4. Writ Petition is accordingly, dismissed. However, this order does not come in the way of petitioners availing remedy of appeal, if so advised, and consideration of appeal, in accordance with law. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

8th January, 2020
Rds