

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.19689 of 2021

ORDER:

Heard the learned counsel for the petitioners, the learned Government Pleader for Revenue for respondent Nos.1 to 4, and Sri M. Vishnuvardhan Reddy, learned counsel for respondent Nos.5 and 7. With their consent, the Writ Petition is taken up for disposal at the admission stage.

2. This writ petition is filed challenging the order dated 30.06.2021 passed by the Special Tribunal, Warangal Urban District in Proc.No.E3/Spl.Tribunal/283/2021 (Old File No.A/2084/2020), whereby the learned Special Tribunal has dismissed the appeal on the ground that the appellants have approached the Authority beyond the period of limitation.

3. A perusal of the grounds of appeal filed by the petitioners' shows that the petitioners have challenged the entries made in the revenue records from 1954-55. Admittedly, the appeal is filed in the year 2020.

4. As per the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act'), if any person is aggrieved as to any rights of which he is in possession by an entry made in any record of rights, the remedy available to him is to file an appeal before the Revenue Divisional Officer or a revision before the Joint Collector within the period of limitation prescribed in the Act i.e., 60 days for filing an appeal under Section 5(5) of the Act or a Revision to the Collector under Section 9 of the Act. Moreover, as

per Section 8(2) of the Act, the aggrieved person is entitled to approach Civil Court for seeking redressal of his grievance.

5. Admittedly, in the instant case, the petitioners have approached the appellate authority after a lapse of 66 years. In view of the same, this Court does not find any infirmity or perversity in the impugned order passed by the Special Tribunal. The Special Tribunal has rightly rejected the Appeal on the ground of laches. Moreover, there is no explanation of the petitioners for the inordinate delay of more than 60 years. Therefore, this Court is not inclined to interfere with the impugned order.

6. The writ petition is, accordingly, dismissed. If the petitioners are so advised, they are free to approach the Civil Court seeking redressal of their grievances subject to the objections that may be taken by the other side with regard to the maintainability in case a suit is filed.

Pending miscellaneous petitions, if any, shall stand closed.

There shall be no order as to costs.

A.ABHISHEK REDDY, J

Date : 18.11.2021

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