

THE HONOURABLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

Writ Petition No.27783 of 2022

ORDER:

Heard learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue, for the respondents.

2. This Writ Petition is filed by the petitioners under Article 226 of the Constitution of India to declare the action of 4th respondent in conducting enquiry without giving notice and opportunity to them to prove their claim in respect of the subject lands, and to set aside the report in File No.B/41/2022, dated 12.01.2022.

3. The brief facts of the case are that petitioners herein approached the State Human Rights Commission by submitting an application ventilating their grievance with regard to entries made in the Revenue Records in respect of the lands for which the petitioners are having title, and the State Human Rights Commission directed the 3rd respondent-District

Collector to submit a report to it; in turn, the 3rd respondent called for a report from his subordinates and in the process, the 4th respondent submitted a report dated 12.01.2022 to the Revenue Divisional Officer, Karimnagar Division. Thereupon, the 3rd respondent-District Collector submitted a report dated 17.01.2022 to the State Human Rights Commission, and the said report was also furnished to the petitioners herein requiring them to submit his comments / reply / objections, etc. vide letter dated 20.01.2022; thereafter petitioners, instead of submitting his objections / comments in response to the report submitted by the 3rd respondent - District Collector, approached this Court questioning the report dated 12.01.2022 submitted by the 4th respondent to the Revenue Divisional Officer on the ground that, without notice and opportunity to the petitioners, the said report was prepared behind the back of petitioners.

4. As the matter is still pending consideration before the State Human Rights Commission, and the said report dated 12.01.2022 is only an internal communication between the Tahsildar and the Revenue Divisional Officer and the petitioners still have an opportunity to raise all their objections, this Court is not inclined to go into the merits and demerits of the said report at this stage.

5. Accordingly, the Writ Petition is dismissed.

6. However, it is open to the petitioners to submit their comments / objections, if any, to the report of the District Collector, dated 17.01.2022, as required by the State Human Rights Commission through letter dated 20.01.2022 in H.R.C.No.5393 of 2021 and pursue their remedies in accordance with law.

7. If for any reason, the petitioners are aggrieved by any findings that may rendered by the State Human Rights Commission or any order passed by the State

Human Rights Commission, it is open for the petitioners to pursue all remedies open to them in law.

8. No order as to costs.

9. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

MUMMINENI SUDHEER KUMAR, J

Date : 04.07.2022

Ndr