

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 11317 of 2011

ORDER:

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Heard learned counsel for the petitioner, learned Government Pleader for Revenue and learned counsel for the fourth respondent.

The present writ petition came to be filed seeking to declare the action of the third respondent in cancelling the pattadar pass books and title deeds of the petitioner, in pursuance of the orders passed by the second respondent in L.Dis.No.968/2009/B dated 30.04.2010, pending the revision and stay petition before the first respondent in R.P.No.04 of 2011, as illegal and arbitrary.

A perusal of the averments in the writ petition would show that the petitioner claims himself to be in possession and enjoyment of zeroyiti lands admeasuring Acs.4.25 cents situated in Survey Nos.212, 223/2, 253/1, 236 and 143 in Rolugunta Village, Acs.5.36 cents in Survey Nos.180, 294, 179 and 232 of Kanchugummala Village which were acquired from his maternal grand mother through a registered Will dated 11.09.1989. It is stated that while the petitioner was in possession of the said lands, the maternal grandmother died in the year 1996 and since then himself and his mother are in possession of the land by paying necessary taxes. The petitioner also claims to have made an application for mutation of his name in pattadar pass books and title deeds. After enquiry, the third respondent issued pattadar pass books and title deeds in respect of lands referred above, incorporating the name of the petitioner. While things stood thus, the fourth respondent herein and her brother by name Maddu Suribabu having greed over the properties of the petitioner filed an application for cancellation of pattadar pass books and title deeds issued to the petitioner. When the third respondent did not entertain the same, they preferred an appeal before the Revenue Divisional Officer on 20.08.2009. The petitioner herein filed a detailed counter. While things stood thus, the fourth respondent and her brother interfered with the possession and as such the petitioner filed O.S.No.99 of 2009 seeking declaration of right, title and possession over the property and also for permanent injunction against the fourth respondent and her brother, which is pending. Meanwhile, the petitioner received an urgent notice issued by the third respondent i.e., Tahsildar directing the petitioner to be present in the third respondent's office with all relevant documents for enquiry, in pursuance of the orders passed by the second respondent vide L.Dis.No.968/2009/B, dated 30.04.2010. It is stated that till then the petitioner was not aware of the orders passed by the second respondent and the same was passed behind the back of the petitioner. Subsequently, the petitioner filed a revision in R.P.No.04 of 2011 along with stay petition. The revision petition as well as the stay application are pending before the first respondent. In the meanwhile, the third respondent is alleged to have issued pattadar pass books and title deeds to the fourth respondent. Challenging the same, the present writ petition came to be filed.

This Court, while issuing notice before admission on 26.04.2011, directed *status quo* to be maintained till the revision is decided by the Joint Collector.

Though the learned counsel for the petitioner raised several objections, he however, restricts his prayer seeking a direction to the first respondent - Joint Collector to dispose of the revision, which is pending before him vide R.P.No.04 of 2011, at the earliest.

Having regard to the circumstances stated above and without going into merits of the case, the writ petition is disposed of directing the Joint Collector (first respondent) to dispose of the revision vide R.P.No.04 of 2011 within twelve (12) weeks from the date of receipt of a copy of this order. Till then *status quo*, as ordered by this Court on 26.04.2011, shall be maintained. No costs.

Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

11.08.2015
vnb

JUSTICE C. PRAVEEN KUMAR